

105TH CONGRESS  
2D SESSION

# H. R. 3485

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1998

Mr. THOMAS introduced the following bill; which was referred to the Committee on House Oversight

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## A BILL

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Campaign Reform and Election Integrity Act of 1998”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—VOLUNTARY CONTRIBUTIONS

- Sec. 101. Prohibiting involuntary use of funds of employees of corporations and other employers and members of unions and organizations for political activities.

#### TITLE II—BANNING NONCITIZEN CONTRIBUTIONS

- Sec. 201. Prohibiting non-citizen individuals from making contributions in connection with Federal elections.
- Sec. 202. Increase in penalty for violations of ban.

#### TITLE III—IMPROVING REPORTING AND ENFORCEMENT

- Sec. 301. Expediting reporting of information.
- Sec. 302. Expansion of type of information reported.
- Sec. 303. Promoting effective enforcement by Federal Election Commission.
- Sec. 304. Banning acceptance of cash contributions greater than \$100.
- Sec. 305. Protecting confidentiality of small contributions by employees of corporations and members of labor organizations.
- Sec. 306. Disclosure and reports relating to polling by telephone or electronic device.

#### TITLE IV—EXCESSIVE SPENDING BY CANDIDATES FROM PERSONAL FUNDS

- Sec. 401. Modification of limitations on contributions when candidates spend or contribute large amounts of personal funds.

#### TITLE V—ELECTION INTEGRITY

##### Subtitle A—Voter Eligibility Verification Pilot Program

- Sec. 501. Voter eligibility pilot confirmation program.
- Sec. 502. Authorization of appropriations.

##### Subtitle B—Other Measures to Protect Election Integrity

- Sec. 511. Requiring inclusion of citizenship check-off and information with all applications for voter registration.
- Sec. 512. Improving administration of voter removal programs.

#### TITLE VI—REVISION AND INDEXING OF CERTAIN CONTRIBUTION LIMITS AND PENALTIES

- Sec. 601. Increase in certain contribution limits.
- Sec. 602. Indexing limits on certain contributions.
- Sec. 603. Indexing amount of penalties and fines.

#### TITLE VII—RESTRICTIONS ON SOFT MONEY

- Sec. 701. Ban on soft money of national political parties and candidates.
- Sec. 702. Ban on disbursements of soft money by foreign nationals.
- Sec. 703. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.
- Sec. 704. Conspiracy to violate presidential campaign spending limits.

#### TITLE VIII—DISCLOSURE OF CERTAIN COMMUNICATIONS

- Sec. 801. Disclosure of certain communications.

Sec. 901. Effective date.

1                   **TITLE I—VOLUNTARY**  
2                   **CONTRIBUTIONS**

3 **SEC. 101. PROHIBITING INVOLUNTARY USE OF FUNDS OF**  
4                   **EMPLOYEES OF CORPORATIONS AND OTHER**  
5                   **EMPLOYERS AND MEMBERS OF UNIONS AND**  
6                   **ORGANIZATIONS FOR POLITICAL ACTIVITIES.**

7           (a) IN GENERAL.—Section 316 of the Federal Elec-  
8 tion Campaign Act of 1971 (2 U.S.C. 441b) is amended  
9 by adding at the end the following new subsection:

10           “(c)(1)(A) Except with the separate, prior, written,  
11 voluntary authorization of the individual involved, it shall  
12 be unlawful—

13           “(i) for any national bank or corporation de-  
14 scribed in this section to collect from or assess a  
15 stockholder or employee any portion of any dues, ini-  
16 tiation fee, or other payment made as a condition of  
17 employment which will be used for political activity  
18 in which the national bank or corporation is en-  
19 gaged; and

20           “(ii) for any labor organization described in this  
21 section to collect from or assess a member or non-  
22 member any portion of any dues, initiation fee, or  
23 other payment which will be used for political activ-  
24 ity in which the labor organization is engaged.

1       “(B) An authorization described in subparagraph (A)  
2 shall remain in effect until revoked and may be revoked  
3 at any time. Each entity collecting from or assessing  
4 amounts from an individual with an authorization in effect  
5 under such subparagraph shall provide the individual with  
6 a statement that the individual may at any time revoke  
7 the authorization.

8       “(2)(A) Prior to the beginning of any 12-month pe-  
9 riod (as determined by the corporation), each corporation  
10 described in this section shall provide each of its share-  
11 holders with a notice containing the following:

12               “(i) The proposed aggregate amount for dis-  
13 bursements for political activities by the corporation  
14 for the period.

15               “(ii) The individual’s applicable percentage and  
16 applicable pro rata amount for the period.

17               “(iii) A form that the individual may complete  
18 and return to the corporation to indicate the individ-  
19 ual’s objection to the disbursement of amounts for  
20 political activities during the period.

21       “(B) It shall be unlawful for a corporation to which  
22 subparagraph (A) applies to make disbursements for polit-  
23 ical activities during the 12-month period described in  
24 such subparagraph in an amount greater than—

1           “(i) the proposed aggregate amount for such  
2 disbursements for the period, as specified in the no-  
3 tice provided under subparagraph (A); reduced by

4           “(ii) the sum of the applicable pro rata  
5 amounts for such period of all shareholders who re-  
6 turn the form described in subparagraph (A)(iii) to  
7 the corporation prior to the beginning of the period.

8           “(C) In this paragraph, the following definitions shall  
9 apply:

10           “(i) The term ‘applicable percentage’ means,  
11 with respect to a shareholder of a corporation, the  
12 amount (expressed as a percentage) equal to the  
13 number of shares of the corporation (within a par-  
14 ticular class or type of stock) owned by the share-  
15 holder at the time the notice described in subpara-  
16 graph (A) is provided, divided by the aggregate  
17 number of such shares owned by all shareholders of  
18 the corporation at such time.

19           “(ii) The term ‘applicable pro rata amount’  
20 means, with respect to a shareholder for a 12-month  
21 period, the product of the shareholder’s applicable  
22 percentage for the period and the proposed aggre-  
23 gate amount for disbursements for political activities  
24 by the corporation for the period, as specified in the  
25 notice provided under subparagraph (A).

1       “(3)(A) Prior to the beginning of any 12-month pe-  
2 riod (as determined by the organization), each organiza-  
3 tion exempt from Federal taxation under section 501 of  
4 the Internal Revenue Code of 1986 (other than a labor  
5 organization) shall provide each of its members with a no-  
6 tice containing the following:

7           “(i) The proposed aggregate amount for dis-  
8 bursements for political activities by the organization  
9 for the period.

10          “(ii) The individual’s applicable percentage and  
11 applicable pro rata amount for the period.

12          “(iii) A form that the individual may complete  
13 and return to the organization to indicate the indi-  
14 vidual’s objection to the disbursement of amounts  
15 for political activities during the period.

16       “(B) It shall be unlawful for an organization to which  
17 subparagraph (A) applies to make disbursements for polit-  
18 ical activities during the 12-month period described in  
19 such subparagraph in an amount greater than—

20           “(i) the proposed aggregate amount for such  
21 disbursements for the period, as specified in the no-  
22 tice provided under subparagraph (A); reduced by

23           “(ii) the sum of the applicable pro rata  
24 amounts for such period of all members who return

1 the form described in subparagraph (A)(iii) to the  
2 organization prior to the beginning of the period.

3 “(C) In this paragraph, the following definitions shall  
4 apply:

5 “(i) The term ‘applicable percentage’ means,  
6 with respect to a member of an organization, the  
7 amount (expressed as a percentage) equal to the  
8 total dues or membership fees paid by the member  
9 for the period involved, divided by the total amount  
10 of dues or fees paid by all members of the organiza-  
11 tion for such period.

12 “(ii) The term ‘applicable pro rata amount’  
13 means, with respect to a member for a 12-month pe-  
14 riod, the product of the member’s applicable percent-  
15 age for the period and the proposed aggregate  
16 amount for disbursements for political activities by  
17 the organization for the period, as specified in the  
18 notice provided under subparagraph (A).

19 “(4) For purposes of this subsection, the term ‘politi-  
20 cal activity’ means any activity carried out for the purpose  
21 of influencing (in whole or in part) any election for Fed-  
22 eral office, influencing the consideration or outcome of any  
23 Federal legislation or the issuance or outcome of any Fed-  
24 eral regulations, or educating individuals about candidates

1 for election for Federal office or any Federal legislation,  
2 law, or regulations.”.

3 (b) EFFECTIVE DATE.—The amendment made by  
4 subsection (a) shall apply to amounts collected or assessed  
5 on or after the date of the enactment of this Act.

## 6 **TITLE II—BANNING NONCITIZEN** 7 **CONTRIBUTIONS**

### 8 **SEC. 201. PROHIBITING NON-CITIZEN INDIVIDUALS FROM** 9 **MAKING CONTRIBUTIONS IN CONNECTION** 10 **WITH FEDERAL ELECTIONS.**

11 (a) PROHIBITION APPLICABLE TO ALL NON-CITI-  
12 ZENS.—Section 319(b)(2) of the Federal Election Cam-  
13 paign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by  
14 striking “and who is not lawfully admitted” and all that  
15 follows and inserting a period.

16 (b) EFFECTIVE DATE.—The amendment made by  
17 subsection (a) shall apply with respect to contributions or  
18 expenditures made on or after the date of the enactment  
19 of this Act.

### 20 **SEC. 202. INCREASE IN PENALTY FOR VIOLATIONS OF BAN.**

21 (a) APPLICATION OF PENALTY TO FOREIGN NATION-  
22 ALS AND CITIZENS WHO SOLICIT OR ACCEPT FOREIGN  
23 PAYMENTS.—Section 319 of the Federal Election Cam-  
24 paign Act of 1971 (2 U.S.C. 441e) is amended—

1           (1) by redesignating subsection (b) as sub-  
2           section (c); and

3           (2) by inserting after subsection (a) the follow-  
4           ing new subsection:

5           “(b) Notwithstanding any other provision of this Act,  
6           the amount or duration of any penalty, fine, or sentence  
7           imposed on any person who violates subsection (a) shall  
8           be 200 percent of the amount or duration which is other-  
9           wise provided for under this Act or any other applicable  
10          law.”.

11          (b) EFFECTIVE DATE.—The amendments made by  
12          this section shall apply with respect to violations occurring  
13          on or after the date of the enactment of this Act.

## 14       **TITLE III—IMPROVING REPORT-** 15       **ING AND ENFORCEMENT**

### 16       **SEC. 301. EXPEDITING REPORTING OF INFORMATION.**

17          (a) PERMITTING CANDIDATES TO ELECT TO FILE  
18          REPORTS FOR CONTRIBUTIONS AND EXPENDITURES  
19          MADE WITHIN 90 DAYS OF ELECTION WITHIN 24 HOURS  
20          AND POST ON INTERNET.—

21               (1) IN GENERAL.—Section 304(a) of the Fed-  
22               eral Election Campaign Act of 1971 (2 U.S.C.  
23               434(a)) is amended by adding at the end the follow-  
24               ing new paragraph:

1       “(12)(A) Notwithstanding any other provision of this  
2 Act, any authorized political committee of a candidate may  
3 notify the Commission that, with respect to each contribu-  
4 tion received or expenditure made by the committee during  
5 the period which begins on the 90th day before an election  
6 and ends at the time the polls close for such election, the  
7 candidate elects to file any information required to be filed  
8 with the Commission under this section with respect to  
9 such contribution or expenditure within 24 hours after the  
10 receipt of the contribution or the making of the expendi-  
11 ture.

12       “(B) The Commission shall make the information  
13 filed under this paragraph available on the Internet imme-  
14 diately upon receipt.”.

15               (2) INTERNET DEFINED.—Section 301(19) of  
16 such Act (2 U.S.C. 431(19)) is amended to read as  
17 follows:

18       “(19) The term ‘Internet’ means the international  
19 computer network of both Federal and non-Federal inter-  
20 operable packet-switched data networks.”.

21               (b) REQUIRING REPORTS FOR ALL CONTRIBUTIONS  
22 MADE WITHIN 20 DAYS OF ELECTION; REQUIRING RE-  
23 PORTS TO BE MADE WITHIN 24 HOURS.—Section  
24 304(a)(6)(A) of such Act (2 U.S.C. 434(a)(6)(A)) is  
25 amended—

1           (1) by striking “after the 20th day, but more  
2 than 48 hours before any election” and inserting  
3 “during the period which begins on the 20th day be-  
4 fore an election and ends at the time the polls close  
5 for such election”; and

6           (2) by striking “48 hours” the second place it  
7 appears and inserting the following: “24 hours (or,  
8 if earlier, by midnight of the day on which the con-  
9 tribution is deposited)”.

10       (c) REQUIRING ACTUAL RECEIPT OF CERTAIN INDE-  
11 PENDENT EXPENDITURE REPORTS WITHIN 24 HOURS.—

12           (1) IN GENERAL.—Section 304(c)(2) of such  
13 Act (2 U.S.C. 434(c)(2)) is amended in the matter  
14 following subparagraph (C)—

15           (A) by striking “shall be reported” and in-  
16 serting “shall be filed”; and

17           (B) by adding at the end the following new  
18 sentence: “Notwithstanding subsection (a)(5),  
19 the time at which the statement under this sub-  
20 section is received by the Secretary, the Com-  
21 mission, or any other recipient to whom the no-  
22 tification is required to be sent shall be consid-  
23 ered the time of filing of the statement with the  
24 recipient.”.

1           (2) CONFORMING AMENDMENT.—Section  
2           304(a)(5) of such Act (2 U.S.C. 434(a)(5)) is  
3           amended by striking “or (4)(A)(ii)” and inserting  
4           “or (4)(A)(ii), or the second sentence of subsection  
5           (c)(2)”.

6           (d) REQUIRING REPORTS OF CERTAIN FILERS TO  
7           BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF  
8           PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) of  
9           such Act (2 U.S.C. 434(a)(11)(A)) is amended by striking  
10          the period at the end and inserting the following: “, except  
11          that in the case of a report submitted by a person who  
12          reports an aggregate amount of contributions or expendi-  
13          tures (as the case may be) in all reports filed with respect  
14          to the election involved (taking into account the period  
15          covered by the report) in an amount equal to or greater  
16          than \$50,000, the Commission shall require the report to  
17          be filed and preserved by such means, format, or method.  
18          The Commission shall certify (on an ongoing basis) pri-  
19          vate sector computer software which may be used for filing  
20          reports by such means, format, or method.”.

21          (e) CHANGE IN CERTAIN REPORTING FROM A CAL-  
22          ENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—  
23          Section 304(b) of such Act (2 U.S.C. 434(b)) is amended  
24          by inserting “(or election cycle, in the case of an author-  
25          ized committee of a candidate for Federal office)” after

1 “calendar year” each place it appears in paragraphs (2),  
2 (3), (4), (6), and (7).

3 **SEC. 302. EXPANSION OF TYPE OF INFORMATION RE-**  
4 **PORTED.**

5 (a) **REQUIRING RECORD KEEPING AND REPORT OF**  
6 **SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—**

7 (1) **REPORTING.**—Section 304(b)(5)(A) of the  
8 Federal Election Campaign Act of 1971 (2 U.S.C.  
9 434(b)(5)(A)) is amended by striking the semicolon  
10 at the end and inserting the following: “, and, if  
11 such person in turn makes expenditures which ag-  
12 gregate \$500 or more in an election cycle to other  
13 persons (not including employees) who provide goods  
14 or services to the candidate or the candidate’s au-  
15 thorized committees, the name and address of such  
16 other persons, together with the date, amount, and  
17 purpose of such expenditures;”.

18 (2) **RECORD KEEPING.**—Section 302 of such  
19 Act (2 U.S.C. 432) is amended by adding at the end  
20 the following new subsection:

21 “(j) A person described in section 304(b)(5)(A) who  
22 makes expenditures which aggregate \$500 or more in an  
23 election cycle to other persons (not including employees)  
24 who provide goods or services to a candidate or a can-  
25 didate’s authorized committees shall provide to a political

1 committee the information necessary to enable the com-  
2 mittee to report the information described in such sec-  
3 tion.”.

4 (3) NO EFFECT ON OTHER REPORTS.—Nothing  
5 in the amendments made by this subsection may be  
6 construed to affect the terms of any other record-  
7 keeping or reporting requirements applicable to can-  
8 didates or political committees under title III of the  
9 Federal Election Campaign Act of 1971.

10 (b) INCLUDING REPORT ON CUMULATIVE CONTRIBU-  
11 TIONS AND EXPENDITURES IN POST ELECTION RE-  
12 PORTS.—Section 304(a)(7) of such Act (2 U.S.C.  
13 434(a)(7)) is amended—

14 (1) by striking “(7)” and inserting “(7)(A)”;  
15 and

16 (2) by adding at the end the following new sub-  
17 paragraph:

18 “(B) In the case of any report required to be filed  
19 by this subsection which is the first report required to be  
20 filed after the date of an election, the report shall include  
21 a statement of the total contributions received and expend-  
22 itures made as of the date of the election.”.

23 (c) INCLUDING INFORMATION ON AGGREGATE CON-  
24 TRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—

1 Section 304(b)(3) of such Act (2 U.S.C. 434(b)(3)) is  
2 amended—

3 (1) in subparagraph (A), by inserting after  
4 “such contribution” the following: “and the total  
5 amount of all such contributions made by such per-  
6 son with respect to the election involved”; and

7 (2) in subparagraph (B), by inserting after  
8 “such contribution” the following: “and the total  
9 amount of all such contributions made by such com-  
10 mittee with respect to the election involved”.

11 **SEC. 303. PROMOTING EFFECTIVE ENFORCEMENT BY FED-**  
12 **ERAL ELECTION COMMISSION.**

13 (a) **REQUIRING FEC TO PROVIDE WRITTEN RE-**  
14 **SPONSES TO QUESTIONS.—**

15 (1) **IN GENERAL.—**Title III of the Federal  
16 Election Campaign Act of 1971 (2 U.S.C. 431 et  
17 seq.) is amended by inserting after section 308 the  
18 following new section:

19 “OTHER WRITTEN RESPONSES TO QUESTIONS  
20 “SEC. 308A. (a) **PERMITTING RESPONSES.—**In addi-  
21 tion to issuing advisory opinions under section 308, the  
22 Commission shall issue written responses pursuant to this  
23 section with respect to a written request concerning the  
24 application of this Act, chapter 95 or chapter 96 of the  
25 Internal Revenue Code of 1986, a rule or regulation pre-  
26 scribed by the Commission, or an advisory opinion issued

1 by the Commission under section 308, with respect to a  
2 specific transaction or activity by the person, if the Com-  
3 mission finds the application of the Act, chapter, rule, reg-  
4 ulation, or advisory opinion to the transaction or activity  
5 to be clear and unambiguous.

6 “(b) PROCEDURE FOR RESPONSE.—

7 “(1) ANALYSIS BY STAFF.—The staff of the  
8 Commission shall analyze each request submitted  
9 under this section. If the staff believes that the  
10 standard described in subsection (a) is met with re-  
11 spect to the request, the staff shall circulate a state-  
12 ment to that effect together with a draft response to  
13 the request to the members of the Commission.

14 “(2) ISSUANCE OF RESPONSE.—Upon the expi-  
15 ration of the 3-day period beginning on the date the  
16 statement and draft response is circulated (excluding  
17 weekends or holidays), the Commission shall issue  
18 the response, unless during such period any member  
19 of the Commission objects to issuing the response.

20 “(c) EFFECT OF RESPONSE.—

21 “(1) SAFE HARBOR.—Notwithstanding any  
22 other provisions of law, any person who relies upon  
23 any provision or finding of a written response issued  
24 under this section and who acts in good faith in ac-  
25 cordance with the provisions and findings of such re-

1        sponse shall not, as a result of any such act, be sub-  
2        ject to any sanction provided by this Act or by chap-  
3        ter 95 or chapter 96 of the Internal Revenue Code  
4        of 1986.

5            “(2) NO RELIANCE BY OTHER PARTIES.—Any  
6        written response issued by the Commission under  
7        this section may only be relied upon by the person  
8        involved in the specific transaction or activity with  
9        respect to which such response is issued, and may  
10       not be applied by the Commission with respect to  
11       any other person or used by the Commission for en-  
12       forcement or regulatory purposes.

13           “(d) PUBLICATION OF REQUESTS AND RE-  
14       SPONSES.—The Commission shall make public any re-  
15       quest for a written response made, and the responses  
16       issued, under this section. In carrying out this subsection,  
17       the Commission may not make public the identity of any  
18       person submitting a request for a written response unless  
19       the person specifically authorizes the Commission to do  
20       so.

21           “(e) COMPILATION OF INDEX.—The Commission  
22       shall compile, publish, and regularly update a complete  
23       and detailed index of the responses issued under this sec-  
24       tion through which responses may be found on the basis  
25       of the subjects included in the responses.”.

1           (2) CONFORMING AMENDMENT.—Section  
2           307(a)(7) of such Act (2 U.S.C. 437d(a)(7)) is  
3           amended by striking “of this Act” and inserting  
4           “and other written responses under section 308A”.

5           (b) STANDARD FOR INITIATION OF ACTIONS BY  
6           FEC.—Section 309(a)(2) of such Act (2 U.S.C.  
7           437g(a)(2)) is amended by striking “it has reason to be-  
8           lieve” and all that follows through “of 1954,” and insert-  
9           ing the following: “it has a reason to investigate a possible  
10           violation of this Act or of chapter 95 or chapter 96 of  
11           the Internal Revenue Code of 1986 that has occurred or  
12           is about to occur (based on the same criteria applicable  
13           under this paragraph prior to the enactment of the Cam-  
14           paign Reform and Election Integrity Act of 1998),”.

15           (c) STANDARD FORM FOR COMPLAINTS; STRONGER  
16           DISCLAIMER LANGUAGE.—

17           (1) STANDARD FORM.—Section 309(a)(1) of  
18           such Act (2 U.S.C. 437g(a)(1)) is amended by in-  
19           serting after “shall be notarized,” the following:  
20           “shall be in a standard form prescribed by the Com-  
21           mission, shall not include (but may refer to) extra-  
22           aneous materials,”.

23           (2) DISCLAIMER LANGUAGE.—Section  
24           309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is  
25           amended—

1 (A) by striking “(a)(1)” and inserting  
2 “(a)(1)(A)”; and

3 (B) by adding at the end the following new  
4 subparagraph:

5 “(B) The written notice of a complaint provided by  
6 the Commission under subparagraph (A) to a person al-  
7 leged to have committed a violation referred to in the com-  
8 plaint shall include a cover letter (in a form prescribed  
9 by the Commission) and the following statement: ‘The en-  
10 closed complaint has been filed against you with the Fed-  
11 eral Election Commission. The Commission has not veri-  
12 fied or given official sanction to the complaint. The Com-  
13 mission will make no decision to pursue the complaint for  
14 a period of at least 15 days from your receipt of this com-  
15 plaint. You may, if you wish, submit a written statement  
16 to the Commission explaining why the Commission should  
17 take no action against you based on this complaint. If the  
18 Commission should decide to investigate, you will be noti-  
19 fied and be given further opportunity to respond.’”.

20 **SEC. 304. BANNING ACCEPTANCE OF CASH CONTRIBU-**  
21 **TIONS GREATER THAN \$100.**

22 Section 315 of the Federal Election Campaign Act  
23 of 1971 (2 U.S.C. 441a) is amended by adding at the end  
24 the following new subsection:

1       “(i) No candidate or political committee may accept  
2 any contributions of currency of the United States or cur-  
3 rency of any foreign country from any person which, in  
4 the aggregate, exceed \$100.”.

5 **SEC. 305. PROTECTING CONFIDENTIALITY OF SMALL CON-**  
6 **TRIBUTIONS BY EMPLOYEES OF CORPORA-**  
7 **TIONS AND MEMBERS OF LABOR ORGANIZA-**  
8 **TIONS.**

9       Section 316(b) of the Federal Election Campaign Act  
10 of 1971 (2 U.S.C. 441b(b)) is amended by adding at the  
11 end the following new paragraph:

12       “(8)(A) Any corporation or labor organization (or  
13 separate segregated fund established by such a corpora-  
14 tion or such a labor organization) making solicitations of  
15 contributions shall make such solicitations in a manner  
16 that ensures that the corporation, organization, or fund  
17 cannot determine who makes a contribution of \$100 or  
18 less as a result of such solicitation and who does not make  
19 such a contribution.

20       “(B) Subparagraph (A) shall not apply with respect  
21 to any solicitation of contributions of a corporation from  
22 its stockholders.”.

1 **SEC. 306. DISCLOSURE AND REPORTS RELATING TO POLL-**  
2 **ING BY TELEPHONE OR ELECTRONIC DEVICE.**

3 Title III of the Federal Election Campaign Act of  
4 1971 (2 U.S.C. 431 et seq.) is amended by adding at the  
5 end the following new section:

6 “DISCLOSURE AND REPORTS RELATING TO POLLING BY  
7 TELEPHONE OR ELECTRONIC DEVICE

8 “SEC. 323. (a) DISCLOSURE OF IDENTITY OF PER-  
9 SON PAYING EXPENSES OF POLL.—Any person who con-  
10 ducts a Federal election poll by telephone or electronic de-  
11 vice shall disclose to each respondent the identity of the  
12 person paying the expenses of the poll. The disclosure  
13 shall be made at the end of the interview involved.

14 “(b) REPORTING CERTAIN INFORMATION.—In the  
15 case of any Federal election poll taken by telephone or  
16 electronic device during the 90-day period which ends on  
17 the date of the election involved—

18 “(1) if the results are not to be made public,  
19 the person who conducts the poll shall report to the  
20 Commission the total cost of the poll and all sources  
21 of funds for the poll; and

22 “(2) the person who conducts the poll shall re-  
23 port to the Commission the total number of house-  
24 holds contacted and include with such report a copy  
25 of the poll questions.

1       “(c) FEDERAL ELECTION POLL DEFINED.—As used  
2 in this section, the term ‘Federal election poll’ means a  
3 survey—

4               “(1) in which the respondent is asked to state  
5 a preference in a future election for Federal office;  
6 and

7               “(2) in which more than 1,200 households are  
8 surveyed.”.

9       **TITLE IV—EXCESSIVE SPENDING**  
10       **BY CANDIDATES FROM PER-**  
11       **SONAL FUNDS**

12       **SEC. 401. MODIFICATION OF LIMITATIONS ON CONTRIBU-**  
13               **TIONS WHEN CANDIDATES SPEND OR CON-**  
14               **TRIBUTE LARGE AMOUNTS OF PERSONAL**  
15               **FUNDS.**

16       (a) IN GENERAL.—Section 315 of the Federal Elec-  
17 tion Campaign Act of 1971 (2 U.S.C. 441a), as amended  
18 by section 304, is further amended by adding at the end  
19 the following new subsection:

20       “(j)(1) Notwithstanding subsection (a), if in a gen-  
21 eral election a House candidate makes expenditures of per-  
22 sonal funds (including contributions by the candidate to  
23 the candidate’s authorized campaign committee) in an  
24 amount in excess of the amount of the limitation estab-  
25 lished under subsection (a)(1)(A) and less than or equal

1 to \$150,000 (as reported under section 304(a)(2)(A)), a  
2 political party committee may make contributions to an  
3 opponent of the House candidate without regard to any  
4 limitation otherwise applicable to such contributions under  
5 subsection (a), except that no opponent may accept aggre-  
6 gate contributions under this paragraph in an amount  
7 greater than the greatest amount of personal funds ex-  
8 pended (including contributions to the candidate's author-  
9 ized campaign committee) by any House candidate (other  
10 than such opponent) with respect to the election, less any  
11 personal funds expended by such opponent (as reported  
12 in a notification submitted under section 304(a)(6)(B)).

13       “(2) If a House candidate makes expenditures of per-  
14 sonal funds (including contributions by the candidate to  
15 the candidate's authorized campaign committee) with re-  
16 spect to an election in an amount greater than \$150,000  
17 (as reported under section 304(a)(2)(A)), the following  
18 rules shall apply:

19               “(A) In the case of a general election, the limi-  
20 tations under subsections (a)(1), (a)(2), and (a)(3)  
21 (insofar as such limitations apply to political party  
22 committees and to individuals, and to other political  
23 committees to the extent that the amount contrib-  
24 uted does not exceed 10 times the amount of the  
25 limitation otherwise applicable under such sub-

1 section) shall not apply to contributions to any oppo-  
2 nent of the candidate, except that no opponent may  
3 accept aggregate contributions under this subpara-  
4 graph and paragraph (1) in an amount greater than  
5 the greatest amount of personal funds (including  
6 contributions to the candidate's authorized campaign  
7 committee) expended by any House candidate with  
8 respect to the election, less any personal funds ex-  
9 pended by such opponent (as reported in a notifica-  
10 tion submitted under section 304(a)(6)(B)).

11 “(B) In the case of an election other than a  
12 general election, the limitations under subsections  
13 (a)(1) and (a)(2) (insofar as such limitations apply  
14 to individuals and to political committees other than  
15 political party committees to the extent that the  
16 amount contributed does not exceed 10 times the  
17 amount of the limitation otherwise applicable under  
18 such subsection) shall not apply to contributions to  
19 any opponent of the candidate, except that no oppo-  
20 nent may accept aggregate contributions under this  
21 subparagraph in an amount greater than the great-  
22 est amount of personal funds (including contribu-  
23 tions to the candidate's authorized campaign com-  
24 mittee) expended by any House candidate with re-  
25 spect to the election, less any personal funds ex-

1       pended by such opponent (as reported in a notifica-  
2       tion submitted under section 304(a)(6)(B)).

3       “(3) In this subsection, the term ‘House candidate’  
4 means a candidate in an election for the office of Rep-  
5 resentative in, or Delegate or Resident Commissioner to,  
6 the Congress.”.

7       (b) NOTIFICATION OF EXPENDITURES OF PERSONAL  
8 FUNDS.—Section 304(a)(6) of such Act (2 U.S.C.  
9 434(a)(6)) is amended—

10           (1) by redesignating subparagraph (B) as sub-  
11       paragraph (C); and

12           (2) by inserting after subparagraph (A) the fol-  
13       lowing new subparagraph:

14       “(B)(i) The principal campaign committee of a  
15 House candidate (as defined in section 315(j)(3)) shall  
16 submit the following notifications relating to expenditures  
17 of personal funds by such candidate (including contribu-  
18 tions by the candidate to such committee):

19           “(I) A notification of the first such expenditure  
20       (or contribution) by which the aggregate amount of  
21       personal funds expended (or contributed) with re-  
22       spect to an election exceeds the amount of the limi-  
23       tation established under section 315(a)(1)(A) for  
24       elections in the year involved.

1           “(II) A notification of each such expenditure  
2           (or contribution) which, taken together with all such  
3           expenditures (and contributions) in any amount not  
4           included in the most recent report under this sub-  
5           paragraph, totals \$5,000 or more.

6           “(III) A notification of the first such expendi-  
7           ture (or contribution) by which the aggregate  
8           amount of personal funds expended with respect to  
9           the election exceeds the level applicable under sec-  
10          tion 315(j)(2) for elections in the year involved.

11          “(ii) Each of the notifications submitted under clause  
12 (i)—

13           “(I) shall be submitted not later than 24 hours  
14           after the expenditure or contribution which is the  
15           subject of the notification is made;

16           “(II) shall include the name of the candidate,  
17           the office sought by the candidate, and the date of  
18           the expenditure or contribution and amount of the  
19           expenditure or contribution involved; and

20           “(III) shall include the total amount of all such  
21           expenditures and contributions made with respect to  
22           the same election as of the date of expenditure or  
23           contribution which is the subject of the notifica-  
24           tion.”.

1 **TITLE V—ELECTION INTEGRITY**  
2 **Subtitle A—Voter Eligibility**  
3 **Verification Pilot Program**

4 **SEC. 501. VOTER ELIGIBILITY PILOT CONFIRMATION PRO-**  
5 **GRAM.**

6 (a) IN GENERAL.—The Attorney General, in con-  
7 sultation with the Commissioner of Social Security, shall  
8 establish a pilot program to test a confirmation system  
9 through which they—

10 (1) respond to inquiries, made by State and  
11 local officials (including voting registrars) with re-  
12 sponsibility for determining an individual’s qualifica-  
13 tion to vote in a Federal, State, or local election, to  
14 verify the citizenship of an individual who has sub-  
15 mitted a voter registration application, and

16 (2) maintain such records of the inquiries made  
17 and verifications provided as may be necessary for  
18 pilot program evaluation.

19 In order to make an inquiry through the pilot program  
20 with respect to an individual, an election official shall pro-  
21 vide the name, date of birth, and last 4 digits of the social  
22 security account number of the individual.

23 (b) INITIAL RESPONSE.—The pilot program shall  
24 provide for a confirmation or a tentative nonconfirmation  
25 of an individual’s citizenship by the Commissioner of So-

1 cial Security as soon as practicable after an initial inquiry  
2 to the Commissioner.

3 (c) SECONDARY VERIFICATION PROCESS IN CASE OF  
4 TENTATIVE NONCONFIRMATION.—In cases of tentative  
5 nonconfirmation, the Attorney General shall specify, in  
6 consultation with the Commissioner of Social Security and  
7 the Commissioner of the Immigration and Naturalization  
8 Service, an available secondary verification process to con-  
9 firm the validity of information provided and to provide  
10 a final confirmation or nonconfirmation as soon as prac-  
11 ticable after the date of the tentative nonconfirmation.

12 (d) DESIGN AND OPERATION OF PILOT PROGRAM.—

13 (1) IN GENERAL.—The pilot program shall be  
14 designed and operated—

15 (A) to apply in, at a minimum, the States  
16 of California, New York, Texas, Florida, and Il-  
17 linois;

18 (B) to be used on a voluntary basis, as a  
19 supplementary information source, by State and  
20 local election officials for the purpose of assess-  
21 ing, through citizenship verification, the eligi-  
22 bility of an individual to vote in Federal, State,  
23 or local elections;

1 (C) to respond to an inquiry concerning  
2 citizenship only in a case where determining  
3 whether an individual is a citizen is—

4 (i) necessary for determining whether  
5 the individual is eligible to vote in an elec-  
6 tion for Federal, State, or local office; and

7 (ii) part of a program or activity to  
8 protect the integrity of the electoral proc-  
9 ess that is uniform, nondiscriminatory, and  
10 in compliance with the Voting Rights Act  
11 of 1965 (42 U.S.C. 1973 et seq.);

12 (D) to maximize its reliability and ease of  
13 use, consistent with insulating and protecting  
14 the privacy and security of the underlying infor-  
15 mation;

16 (E) to permit inquiries to be made to the  
17 pilot program through a toll-free telephone line  
18 or other toll-free electronic media;

19 (F) to respond to all inquiries made by au-  
20 thorized persons and to register all times when  
21 the pilot program is not responding to inquiries  
22 because of a malfunction;

23 (G) with appropriate administrative, tech-  
24 nical, and physical safeguards to prevent unau-  
25 thorized disclosure of personal information, in-

1 including violations of the requirements of section  
2 205(c)(2)(C)(viii) of the Social Security Act;  
3 and

4 (H) to have reasonable safeguards against  
5 the pilot program's resulting in unlawful dis-  
6 criminatory practices based on national origin  
7 or citizenship status, including the selective or  
8 unauthorized use of the pilot program.

9 (2) USE OF EMPLOYMENT ELIGIBILITY CON-  
10 FIRMATION SYSTEM.—To the extent practicable, in  
11 establishing the confirmation system under this sec-  
12 tion, the Attorney General, in consultation with the  
13 Commissioner of Social Security, shall use the em-  
14 ployment eligibility confirmation system established  
15 under section 404 of the Illegal Immigration Reform  
16 and Immigrant Responsibility Act of 1996 (Public  
17 Law 104–208; 110 Stat. 3009–664).

18 (e) RESPONSIBILITIES OF THE COMMISSIONER OF  
19 SOCIAL SECURITY.—As part of the pilot program, the  
20 Commissioner of Social Security shall establish a reliable,  
21 secure method which compares the name, date of birth,  
22 and last 4 digits of the social security account number  
23 provided in an inquiry against such information main-  
24 tained by the Commissioner, in order to confirm (or not  
25 confirm) the correspondence of the name, date of birth,

1 and number provided and whether the individual is shown  
2 as a citizen of the United States on the records maintained  
3 by the Commissioner (including whether such records  
4 show that the individual was born in the United States).  
5 The Commissioner shall not disclose or release social secu-  
6 rity information (other than such confirmation or noncon-  
7 firmation).

8 (f) RESPONSIBILITIES OF THE COMMISSIONER OF  
9 THE IMMIGRATION AND NATURALIZATION SERVICE.—As  
10 part of the pilot program, the Commissioner of the Immi-  
11 gration and Naturalization Service shall establish a reli-  
12 able, secure method which compares the name and date  
13 of birth which are provided in an inquiry against informa-  
14 tion maintained by the Commissioner in order to confirm  
15 (or not confirm) the validity of the information provided,  
16 the correspondence of the name and date of birth, and  
17 whether the individual is a citizen of the United States.

18 (g) UPDATING INFORMATION.—The Commissioner of  
19 Social Security and the Commissioner of the Immigration  
20 and Naturalization Service shall update their information  
21 in a manner that promotes the maximum accuracy and  
22 shall provide a process for the prompt correction of erro-  
23 neous information, including instances in which it is  
24 brought to their attention in the secondary verification  
25 process described in subsection (c) or in any action by an

1 individual to use the process provided under this sub-  
2 section upon receipt of notification from an election offi-  
3 cial under subsection (i).

4 (h) LIMITATION ON USE OF THE PILOT PROGRAM  
5 AND ANY RELATED SYSTEMS.—

6 (1) IN GENERAL.—Notwithstanding any other  
7 provision of law, nothing in this section shall be con-  
8 strued to permit or allow any department, bureau,  
9 or other agency of the United States Government to  
10 utilize any information, data base, or other records  
11 assembled under this section for any other purpose  
12 other than as provided for under this section.

13 (2) NO NATIONAL IDENTIFICATION CARD.—  
14 Nothing in this section shall be construed to author-  
15 ize, directly or indirectly, the issuance or use of na-  
16 tional identification cards or the establishment of a  
17 national identification card.

18 (3) NO NEW DATA BASES.—Nothing in this sec-  
19 tion shall be construed to authorize, directly or indi-  
20 rectly, the Attorney General and the Commissioner  
21 of Social Security to create any joint computer data  
22 base that is not in existence on the date of the en-  
23 actment of this Act.

24 (i) ACTIONS BY ELECTION OFFICIALS UNABLE TO  
25 CONFIRM CITIZENSHIP.—

1           (1) IN GENERAL.—If an election official re-  
2           ceives a notice of final nonconfirmation under sub-  
3           section (c) with respect to an individual, the offi-  
4           cial—

5                   (A) shall notify the individual in writing;  
6           and

7                   (B) shall inform the individual in writing  
8           of the individual’s right to use—

9                           (i) the process provided under sub-  
10                           section (g) for the prompt correction of er-  
11                           roneous information in the pilot program;  
12                           or

13                           (ii) any other process for establishing  
14                           eligibility to vote provided under State or  
15                           Federal law.

16           (2) REGISTRATION APPLICANTS.—In the case  
17           of an individual who is an applicant for voter reg-  
18           istration, and who receives a notice from an official  
19           under paragraph (1), the official may (subject to,  
20           and in a manner consistent with, State law) reject  
21           the application (subject to the right to reapply), but  
22           only if the following conditions have been satisfied:

23                   (A) The 30-day period beginning on the  
24                   date the notice was mailed or otherwise pro-  
25                   vided to the individual has elapsed.

1 (B) During such 30-day period, the official  
2 did not receive adequate confirmation of the  
3 citizenship of the individual from—

4 (i) a source other than the pilot pro-  
5 gram established under this section; or

6 (ii) such pilot program, pursuant to a  
7 new inquiry to the pilot program made by  
8 the official upon receipt of information  
9 (from the individual or through any other  
10 reliable source) that erroneous or incom-  
11 plete material information previously in the  
12 pilot program has been updated, supple-  
13 mented, or corrected.

14 (3) INELIGIBLE VOTER REMOVAL PROGRAMS.—

15 In the case of an individual who is registered to  
16 vote, and who receives a notice from an official  
17 under paragraph (1) in connection with a program  
18 to remove the names of ineligible voters from an of-  
19 ficial list of eligible voters, the official may (subject  
20 to, and in a manner consistent with, State law) re-  
21 move the name of the individual from the list (sub-  
22 ject to the right to submit another voter registration  
23 application), but only if the following conditions have  
24 been satisfied:

1           (A) The 30-day period beginning on the  
2           date the notice was mailed or otherwise pro-  
3           vided to the individual has elapsed.

4           (B) During such 30-day period, the official  
5           did not receive adequate confirmation of the  
6           citizenship of the individual from a source de-  
7           scribed in clause (i) or (ii) of paragraph (2)(B).

8           (j) AUTHORITY TO USE SOCIAL SECURITY ACCOUNT  
9           NUMBERS.—Any State (or political subdivision thereof)  
10          may, for the purpose of making inquiries under the pilot  
11          program in the administration of any voter registration  
12          law within its jurisdiction, use the last 4 digits of the so-  
13          cial security account numbers issued by the Commissioner  
14          of Social Security, and may, for such purpose, require any  
15          individual who is or appears to be affected by a voter reg-  
16          istration law of such State (or political subdivision there-  
17          of) to furnish to such State (or political subdivision there-  
18          of) or any agency thereof having administrative respon-  
19          sibility for such law, the last 4 digits of the social security  
20          account number (or numbers, if the individual has more  
21          than one such number) issued to the individual by the  
22          Commissioner. Nothing in this subsection may be con-  
23          strued to prohibit or limit the application of any voter reg-  
24          istration program which is in compliance with any applica-  
25          ble Federal or State law.

1 (k) TERMINATION AND REPORT.—The pilot program  
2 shall terminate September 30, 2001. The Attorney Gen-  
3 eral and the Commissioner of Social Security shall each  
4 submit to the Committee on the Judiciary and the Com-  
5 mittee on Ways and Means of the House of Representa-  
6 tives and to the Committee on the Judiciary and the Com-  
7 mittee on Finance of the Senate reports on the pilot pro-  
8 gram not later than December 31, 2001. Such reports  
9 shall—

10 (1) assess the degree of fraudulent attesting of  
11 United States citizenship in jurisdictions covered by  
12 the pilot program;

13 (2) assess the appropriate staffing and funding  
14 levels which would be required for full, permanent,  
15 and nationwide implementation of the pilot program,  
16 including the estimated total cost for national imple-  
17 mentation per individual record;

18 (3) include an assessment by the Commissioner  
19 of Social Security of the advisability and ramifica-  
20 tions of disclosure of social security account num-  
21 bers to the extent provided for under the pilot pro-  
22 gram and upon full, permanent, and nationwide im-  
23 plementation of the pilot program;

24 (4) assess the degree to which the records  
25 maintained by the Commissioner of Social Security

1 and the Commissioner of the Immigration and Natu-  
2 ralization Service are able to be used to reliably de-  
3 termine the citizenship of individuals who have sub-  
4 mitted voter registration applications;

5 (5) assess the effectiveness of the pilot pro-  
6 gram's safeguards against unlawful discriminatory  
7 practices;

8 (6) include recommendations on whether or not  
9 the pilot program should be continued or modified;  
10 and

11 (7) include such other information as the Attor-  
12 ney General or the Commissioner of Social Security  
13 may determine to be relevant.

14 **SEC. 502. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to the De-  
16 partment of Justice, for the Immigration and Naturaliza-  
17 tion Service, for fiscal years beginning on or after October  
18 1, 1998, such sums as are necessary to carry out the pro-  
19 visions of this subtitle.

1           **Subtitle B—Other Measures to**  
2           **Protect Election Integrity**

3   **SEC. 511. REQUIRING INCLUSION OF CITIZENSHIP CHECK-**  
4           **OFF AND INFORMATION WITH ALL APPLICA-**  
5           **TIONS FOR VOTER REGISTRATION.**

6           (a) IN GENERAL.—Section 9 of the National Voter  
7 Registration Act of 1993 (42 U.S.C. 1973gg–7) is amend-  
8 ed by adding at the end the following new subsection:

9           “(c) CITIZENSHIP CHECK-OFF AND OTHER INFOR-  
10 MATION.—

11           “(1) IN GENERAL.—Effective January 1,  
12 2000—

13           “(A) the mail voter registration form de-  
14 veloped under subsection (a)(2) and each appli-  
15 cation for voter registration of a State shall in-  
16 clude 2 boxes for the applicant to indicate  
17 whether or not the applicant is a citizen of the  
18 United States, and no application for voter reg-  
19 istration may be considered to be completed un-  
20 less the applicant has checked the box indicat-  
21 ing that the applicant is a citizen of the United  
22 States; and

23           “(B) such form and each application for  
24 voter registration of a State shall require the  
25 applicant to provide—

1 “(i) the city, State or province (if  
2 any), and nation of the individual’s birth;  
3 and

4 “(ii) if the individual is a naturalized  
5 citizen of the United States, the year in  
6 which the individual was admitted to citi-  
7 zenship and the location where the admis-  
8 sion to citizenship occurred (if applicable).

9 “(2) STATE OPT-OUT.—Paragraph (1) shall not  
10 apply with respect to applications for voter registra-  
11 tion of any State which notifies the Federal Election  
12 Commission prior to January 1, 2000, that it elects  
13 to reject the application of such paragraph to appli-  
14 cations for voter registration of the State.”.

15 (b) CONFORMING AMENDMENTS.—The National  
16 Voter Registration Act of 1993 is amended by striking  
17 “requirement;” each place it appears in section  
18 5(c)(2)(C)(ii) (42 U.S.C. 1973gg-3(c)(2)(C)(ii)), section  
19 7(a)(6)(A)(i)(II) (42 U.S.C. 1973gg-5(a)(6)(A)(i)(II)),  
20 and section 9(b)(2)(B) (42 U.S.C. 1973gg-7(b)(2)(B) and  
21 inserting “requirement (consistent with section 9(c));”.

22 **SEC. 512. IMPROVING ADMINISTRATION OF VOTER RE-**  
23 **MOVAL PROGRAMS.**

24 (a) PERMITTING STATE TO REQUIRE AFFIRMATION  
25 OF ADDRESS OF REGISTRANTS NOT VOTING IN 2 CON-

1 SECUTIVE GENERAL FEDERAL ELECTIONS.—Section 8(e)  
2 of the National Voter Registration Act of 1993 (42 U.S.C.  
3 1973gg–6(e)) is amended by adding at the end the follow-  
4 ing new paragraph:

5 “(4) If a registrant has not voted or appeared to vote  
6 in two consecutive general elections for Federal office and  
7 appears at a polling place to cast a vote in the next elec-  
8 tion, a State may require the registrant to provide oral  
9 or written affirmation of the registrant’s identification and  
10 address before an election official at the polling place as  
11 a condition for casting the vote.”.

12 (b) PERMITTING STATE TO PLACE REGISTRANTS  
13 WITH INAPPLICABLE ADDRESSES ON INACTIVE LIST.—

14 (1) IN GENERAL.—Section 8(d)(1)(B)(i) of  
15 such Act (42 U.S.C. 1973gg–6(d)(1)(B)(i)) is  
16 amended by striking “paragraph (2);” and inserting  
17 “paragraph (2), or has provided a mailing address  
18 which the Postal Services indicates is no longer ap-  
19 plicable and has provided no other applicable ad-  
20 dress;”.

21 (2) REQUIRING CONFIRMATION OF ADDRESS  
22 PRIOR TO VOTING.—Section 8(d) of such Act (42  
23 U.S.C. 1973gg–6(d)) is amended by adding at the  
24 end the following new paragraph:

1       “(4) The second sentence of paragraph (2)(A) shall  
2 apply to an individual described in paragraph (1)(B)(i)  
3 who has provided a mailing address which the Postal Serv-  
4 ices indicates is no longer applicable and has provided no  
5 other applicable address in the same manner as such sen-  
6 tence applies to an individual who has failed to respond  
7 to a notice described in paragraph (2).”.

8       (c) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect January 1, 1999, and shall  
10 apply with respect to general elections for Federal office  
11 held on or after January 1, 1998.

12 **TITLE VI—REVISION AND INDEX-**  
13 **ING OF CERTAIN CONTRIBU-**  
14 **TION LIMITS AND PENALTIES**

15 **SEC. 601. INCREASE IN CERTAIN CONTRIBUTION LIMITS.**

16 (a) CONTRIBUTIONS BY INDIVIDUALS.—

17 (1) CONTRIBUTIONS TO CANDIDATES.—Section  
18 315(a)(1)(A) of the Federal Election Campaign Act  
19 of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by  
20 striking “\$1,000” and inserting “\$2,000”.

21 (2) CONTRIBUTIONS TO STATE OR LOCAL PO-  
22 LITICAL PARTIES.—Section 315(a)(1) of such Act (2  
23 U.S.C. 441a(a)(1)) is amended—

24 (A) by striking “or” at the end of subpara-  
25 graph (B);

1 (B) by redesignating subparagraph (C) as  
2 subparagraph (D); and

3 (C) by inserting after subparagraph (B)  
4 the following new subparagraph:

5 “(C) to the political committees established and  
6 maintained by a State or local political party, which  
7 are not the authorized political committees of any  
8 candidate, in any calendar year which, in the aggre-  
9 gate, exceed \$15,000; or”.

10 (3) CONTRIBUTIONS TO NATIONAL POLITICAL  
11 PARTIES.—Section 315(a)(1)(B) of such Act (2  
12 U.S.C. 441a(a)(1)(B)) is amended by striking  
13 “\$20,000” and inserting “60,000”.

14 (4) AGGREGATE ANNUAL LIMIT ON ALL CON-  
15 TRIBUTIONS.—Section 315(a)(3) of such Act (2  
16 U.S.C. 441a(a)(3)) is amended by striking  
17 “\$25,000” and inserting “\$75,000”.

18 (b) CONTRIBUTIONS BY POLITICAL PARTIES.—Sec-  
19 tion 315(a)(1)(D) of such Act (2 U.S.C. 441a(a)(1)(D)),  
20 as amended by subsection (a)(2), is amended—

21 (1) by striking “or” at the end of subparagraph  
22 (C);

23 (2) by redesignating subparagraph (D) as sub-  
24 paragraph (E); and

1           (3) by inserting after subparagraph (C) the fol-  
2           lowing new subparagraph:

3           “(D) in the case of contributions made to a candidate  
4           and any authorized committee of the candidate by a politi-  
5           cal committee of a national, State, or local political party  
6           which is not the authorized political committee of any can-  
7           didate, in any calendar year which, in the aggregate, ex-  
8           ceed \$15,000; or”.

9           **SEC. 602. INDEXING LIMITS ON CERTAIN CONTRIBUTIONS.**

10          (a) IN GENERAL.—Section 315(c) of the Federal  
11          Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is  
12          amended by adding at the end the following new para-  
13          graph:

14          “(3)(A) The amount of each limitation established  
15          under subsection (a) (other than any limitation under  
16          paragraphs (1)(E) or (2)) shall be adjusted as follows:

17                  “(i) For calendar year 2001, each such amount  
18                  shall be equal to the amount described in such sub-  
19                  section, increased (in a compounded manner) by the  
20                  percentage increase in the price index (as defined in  
21                  paragraph (2)) for 1999 and 2000.

22                  “(ii) For calendar year 2003 and each second  
23                  subsequent year, each such amount shall be equal to  
24                  the amount for the second previous year (as ad-  
25                  justed under this subparagraph), increased (in a

1       compounded manner) by the percentage increase in  
2       the price index for the previous year and the second  
3       previous year.

4       “(B) In the case of any amount adjusted under this  
5       subparagraph which is not a multiple of \$100, the amount  
6       shall be rounded to the nearest multiple of \$100.”.

7       (b) APPLICATION OF INDEXING TO SUPPORT OF  
8       CANDIDATE’S COMMITTEES.—Section 302(e)(3)(B) of  
9       such Act (2 U.S.C. 432(e)(3)(B)) is amended by adding  
10      at the end the following new sentence: “The amount de-  
11      scribed in the previous sentence shall be adjusted (for  
12      years beginning with 1999) in the same manner as the  
13      amounts of limitations on contributions under section  
14      315(a) are adjusted under section 315(e)(3).”.

15      **SEC. 603. INDEXING AMOUNT OF PENALTIES AND FINES.**

16      Section 309 of the Federal Election Campaign Act  
17      of 1971 (2 U.S.C. 437g) is amended—

18              (1) in subsection (a), by adding at the end the  
19      following new paragraph:

20      “(13) Each amount referred to in this subsection  
21      shall be adjusted (for years beginning with 1999) in the  
22      same manner as the amounts of limitations on contribu-  
23      tions under section 315(a) are adjusted under section  
24      315(e)(3).”; and

1           (2) in the second sentence of subsection  
2           (d)(1)(A), by inserting after “\$25,000” the follow-  
3           ing: “(adjusted for years beginning with 1999 in the  
4           same manner as the amounts of limitations on con-  
5           tributions under section 315(a) are adjusted under  
6           section 315(c)(3))”.

7           **TITLE VII—RESTRICTIONS ON**  
8           **SOFT MONEY**

9           **SEC. 701. BAN ON SOFT MONEY OF NATIONAL POLITICAL**  
10           **PARTIES AND CANDIDATES.**

11           (a) IN GENERAL.—Title III of the Federal Election  
12           Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended  
13           by section 306, is further amended by adding at the end  
14           the following new section:

15           “BAN ON USE OF SOFT MONEY BY NATIONAL POLITICAL  
16           PARTIES AND CANDIDATES

17           “SEC. 324. (a) NATIONAL PARTIES.—

18           “(1) IN GENERAL.—No political committee of a  
19           national political party may solicit, receive, or direct  
20           any contributions, donations, or transfers of funds,  
21           or spend any funds, which are not subject to the  
22           limitations, prohibitions, and reporting requirements  
23           of this Act.

24           “(2) APPLICABILITY.—Paragraph (1) shall  
25           apply to any entity which is established, financed,  
26           maintained, or controlled (directly or indirectly) by,

1 or which acts on behalf of, a political committee of  
2 a national political party, including any national  
3 congressional campaign committee of such a party  
4 and any officer or agent of such an entity or com-  
5 mittee.

6 “(b) CANDIDATES.—

7 “(1) IN GENERAL.—No candidate for Federal  
8 office, individual holding Federal office, or any agent  
9 of such a candidate or officeholder may solicit, re-  
10 ceive, or direct—

11 “(A) any funds in connection with any  
12 Federal election unless the funds are subject to  
13 the limitations, prohibitions and reporting re-  
14 quirements of this Act;

15 “(B) any funds that are to be expended in  
16 connection with any election for other than a  
17 Federal office unless the funds are not in excess  
18 of the applicable amounts permitted with re-  
19 spect to contributions to candidates and politi-  
20 cal committees under paragraphs (1) and (2) of  
21 section 315(a), and are not from sources pro-  
22 hibited from making contributions by this Act  
23 with respect to elections for Federal office; or

24 “(C) any funds on behalf of any person  
25 which are not subject to the limitations, prohi-

1           bitions, and reporting requirements of this Act  
2           if such funds are for the purpose of financing  
3           any activity on behalf of a candidate for elec-  
4           tion for Federal office or any communication  
5           which refers to a clearly identified candidate for  
6           election for Federal office.

7           “(2) EXCEPTION FOR CERTAIN ACTIVITIES.—  
8           Paragraph (1) shall not apply to—

9                   “(A) the solicitation, receipt, or direction  
10                  of funds by an individual who is a candidate for  
11                  a non-Federal office if such activity is per-  
12                  mitted under State law for such individual’s  
13                  non-Federal campaign committee; or

14                   “(B) the attendance by an individual who  
15                  holds Federal office at a fundraising event for  
16                  a State or local committee of a political party  
17                  of the State which the individual represents as  
18                  a Federal officeholder, if the event is held in  
19                  such State.

20           “(c) APPLICABILITY TO FUNDS FROM ALL  
21           SOURCES.—This section shall apply with respect to funds  
22           of any individual, corporation, labor organization, or other  
23           person.”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall apply with respect to elections occur-  
3 ring after January 1999.

4 **SEC. 702. BAN ON DISBURSEMENTS OF SOFT MONEY BY**  
5 **FOREIGN NATIONALS.**

6 (a) PROHIBITION ON DISBURSEMENTS BY FOREIGN  
7 NATIONALS FOR POLITICAL PARTIES AND INDEPENDENT  
8 EXPENDITURES.—Section 319 of the Federal Election  
9 Campaign Act of 1971 (2 U.S.C. 441e) is amended—

10 (1) in the heading, by striking “contributions”  
11 and inserting “disbursements”;

12 (2) in subsection (a), by striking “contribution”  
13 each place it appears and inserting “disbursement”;  
14 and

15 (3) in subsection (a), by striking the semicolon  
16 and inserting the following: “, including any dis-  
17 bursement to a political committee of a political  
18 party and any disbursement for an independent ex-  
19 penditure;”.

20 (b) EFFECTIVE DATE.—The amendments made by  
21 this section shall apply with respect to disbursements  
22 made on or after the date of the enactment of this Act.

1 **SEC. 703. ENFORCEMENT OF SPENDING LIMIT ON PRESI-**  
2 **DENTIAL AND VICE PRESIDENTIAL CAN-**  
3 **DIDATES WHO RECEIVE PUBLIC FINANCING.**

4 (a) IN GENERAL.—Section 9003 of the Internal Rev-  
5 enue Code of 1986 (26 U.S.C. 9003) is amended by add-  
6 ing at the end the following new subsection:

7 “(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No  
8 candidate for election to the office of President or Vice  
9 President may receive amounts from the Presidential  
10 Election Campaign Fund under this chapter or chapter  
11 96 unless the candidate certifies that the candidate shall  
12 not solicit any funds for purposes of influencing (directly  
13 or indirectly) such election, including any funds used for  
14 an independent expenditure under the Federal Election  
15 Campaign Act of 1971, unless the funds are subject to  
16 the limitations, prohibitions, and reporting requirements  
17 of the Federal Election Campaign Act of 1971.”.

18 (b) EFFECTIVE DATE.—The amendment made by  
19 this section shall apply with respect to elections occurring  
20 on or after the date of the enactment of this Act.

21 **SEC. 704. CONSPIRACY TO VIOLATE PRESIDENTIAL CAM-**  
22 **PAIGN SPENDING LIMITS.**

23 (a) IN GENERAL.—Section 9003 of the Internal Rev-  
24 enue Code of 1986 (26 U.S.C. 9003), as amended by sec-  
25 tion 703, is further amended by adding at the end the  
26 following new subsection:

1       “(g) PROHIBITING CONSPIRACY TO VIOLATE LIM-  
2 ITS.—

3               “(1) VIOLATION OF LIMITS DESCRIBED.—If a  
4 candidate for election to the office of President or  
5 Vice President who receives amounts from the Presi-  
6 dential Election Campaign Fund under chapter 95  
7 or 96 of the Internal Revenue Code of 1986, or the  
8 agent of such a candidate, seeks to avoid the spend-  
9 ing limits applicable to the candidate under such  
10 chapter or under the Federal Election Campaign Act  
11 of 1971 by soliciting, receiving, transferring, or di-  
12 recting funds from any source other than such Fund  
13 for the direct or indirect benefit of such candidate’s  
14 campaign, such candidate or agent shall be fined not  
15 more than \$1,000,000, or imprisoned for a term of  
16 not more than 3 years, or both.

17               “(2) CONSPIRACY TO VIOLATE LIMITS DE-  
18 FINED.—If two or more persons conspire to violate  
19 paragraph (1), and one or more of such persons do  
20 any act to effect the object of the conspiracy, each  
21 shall be fined not more than \$1,000,000, or impris-  
22 oned for a term of not more than 3 years, or both.”.

23       (b) EFFECTIVE DATE.—The amendment made by  
24 this section shall apply with respect to elections occurring  
25 on or after the date of the enactment of this Act.

1       **TITLE VIII—DISCLOSURE OF**  
2       **CERTAIN COMMUNICATIONS**

3       **SEC. 801. DISCLOSURE OF CERTAIN COMMUNICATIONS.**

4       Section 304 of the Federal Election Campaign Act  
5 of 1971 (2 U.S.C. 434) is amended by adding at the end  
6 the following new subsection:

7       “(d)(1) In addition to any other information required  
8 to be reported under this Act, any person who makes pay-  
9 ments described in paragraph (2) in an aggregate amount  
10 or value in excess of \$250 during a calendar year shall  
11 report such payments and the source of the funds used  
12 to make such payments to the Commission in the same  
13 manner and under the same terms and conditions as a  
14 political committee reporting expenditures and contribu-  
15 tions to the Commission under this section, except that  
16 if such person makes such payments in an aggregate  
17 amount or value of \$1,000 or more after the 20th day,  
18 but more than 24 hours, before any election, such person  
19 shall report such information within 24 hours after such  
20 payments are made.

21       “(2) A payment described in this paragraph is a pay-  
22 ment for any communication which is made during the  
23 90-day period ending on the date of an election and which  
24 mentions a clearly identified candidate for election for  
25 Federal office or the political party of such a candidate,

1 or which contains the likeness of such a candidate, other  
2 than a payment which would be described in clause (i),  
3 (iii), or (v) of section 301(9)(B) if the payment were an  
4 expenditure under such section.”.

## 5 **TITLE IX—EFFECTIVE DATE**

### 6 **SEC. 901. EFFECTIVE DATE.**

7 Except as otherwise specifically provided, this Act  
8 and the amendments made by this Act shall apply with  
9 respect to elections occurring after January 1999.

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