

105TH CONGRESS
1ST SESSION

H. R. 600

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 1997

Mr. FARR of California (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. FAZIO of California, Mr. ACKERMAN, Mr. BALDACCI, Mr. BLUMENAUER, Mr. BORSKI, Mr. BROWN of California, Mr. CARDIN, Mr. COYNE, Mr. CRAMER, Mr. DELAHUNT, Ms. DELAURO, Mr. ENGEL, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FORD, Mr. FRANK of Massachusetts, Ms. FURSE, Mr. GEJDENSON, Mr. HALL of Ohio, Mr. HEFNER, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. KLECZKA, Mr. LaFALCE, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MANTON, Mr. MASCARA, Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Mr. MINGE, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Ms. NORTON, Mr. OLVER, Mr. OWENS, Ms. PELOSI, Ms. RIVERS, Mr. SANDERS, Mr. SPRATT, Mr. TORRES, Mr. VENTO, Ms. WOOLSEY, Mr. UNDERWOOD, Mr. WISE, Mr. DINGELL, Mr. DELLUMS, Mr. ABERCROMBIE, Mr. HASTINGS of Florida, Mr. MATSUI, Mrs. THURMAN, Mr. DEFazio, and Mrs. MEEK of Florida) introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committees on Ways and Means, Commerce, Government Reform and Oversight, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Election Campaign Act of 1971 to reform the financing of Federal election campaigns, 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 “American Political Reform Act”.

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—CONGRESSIONAL CAMPAIGN SPENDING LIMITS AND
 BENEFITS

Subtitle A—Election Campaign Spending Limits and Benefits

Sec. 101. Spending limits and benefits.

Subtitle B—Limitations on Contributions to House of Representatives
 Candidates

Sec. 121. Limitations on political committees.

Sec. 122. Limitations on political committee and large donor contributions that
 may be accepted by House of Representatives candidates.

Subtitle C—Related Provisions

Sec. 131. Reporting requirements.

Sec. 132. Registration as eligible House of Representatives candidate.

Sec. 133. Definitions.

Subtitle D—Tax on Excess Political Expenditures of Certain Congressional
 Campaign Funds

Sec. 141. Tax treatment of certain campaign funds.

TITLE II—INDEPENDENT EXPENDITURES

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

Sec. 202. Reporting requirements for certain independent expenditures.

TITLE III—CONTRIBUTIONS AND EXPENDITURES BY POLITICAL
 PARTY COMMITTEES

Sec. 301. Definitions.

Sec. 302. Contributions to political party committees.

Sec. 303. Increase in the amount that multicandidate political committees may
 contribute to national political party committees.

Sec. 304. Merchandising and affinity cards.

Sec. 305. Provisions relating to national, State, and local party committees.

Sec. 306. Restrictions on fundraising by candidates and officeholders.

Sec. 307. Reporting requirements.

TITLE IV—CONTRIBUTIONS

- Sec. 401. Restrictions on bundling.
- Sec. 402. Contributions by dependents not of voting age.
- Sec. 403. Prohibition of acceptance by a candidate of cash contributions from any one person aggregating more than \$100.
- Sec. 404. Contributions to candidates from State and local committees of political parties to be aggregated.
- Sec. 405. Prohibition of false representation to solicit contributions.
- Sec. 406. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.
- Sec. 407. Amendment to section 316 of the Federal Election Campaign Act of 1971.
- Sec. 408. Prohibition of certain election-related activities of foreign nationals.

TITLE V—REPORTING REQUIREMENTS

- Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 502. Disclosure of personal and consulting services.
- Sec. 503. Political committees other than candidate committees.
- Sec. 504. Use of candidates’ names.
- Sec. 505. Reporting requirements.
- Sec. 506. Simultaneous registration of candidate and candidate’s principal campaign committee.
- Sec. 507. Reporting on general campaign activities of persons other than political parties.

TITLE VI—BROADCAST RATES AND CAMPAIGN ADVERTISING

- Sec. 601. Broadcast rates and campaign advertising.
- Sec. 602. Campaign advertising amendments.
- Sec. 603. Eligibility for nonprofit third class bulk rates of postage.

TITLE VII—MISCELLANEOUS

- Sec. 701. Prohibition of leadership committees.
- Sec. 702. Appearance by Federal Election Commission as amici curiae.
- Sec. 703. Prohibiting solicitation of contributions by members in hall of the House of Representatives.

TITLE VIII—EFFECTIVE DATES; AUTHORIZATIONS

- Sec. 801. Effective date.
- Sec. 802. Severability.
- Sec. 803. Expedited review of constitutional issues.
- Sec. 804. Regulations.

1 **TITLE I—CONGRESSIONAL CAM-**
 2 **PAIGN SPENDING LIMITS AND**
 3 **BENEFITS**

4 **Subtitle A—Election Campaign**
 5 **Spending Limits and Benefits**

6 **SEC. 101. SPENDING LIMITS AND BENEFITS.**

7 (a) IN GENERAL.—The Federal Election Campaign
 8 Act of 1971 is amended by adding at the end the following
 9 new title:

10 **“TITLE V—ELECTION SPENDING**
 11 **LIMITS AND BENEFITS**

“TITLE V—ELECTION SPENDING LIMITS AND BENEFITS

“Subtitle A—Election Campaigns for the House of Representatives

“Sec. 501. Expenditure limitations.

“Sec. 502. Personal contribution limitations.

“Sec. 503. Definition.

“Subtitle B—Administrative Provisions

“Sec. 511. Certifications by Commission.

“Sec. 512. Examination and audits; repayments and civil penalties.

“Sec. 513. Judicial review.

“Sec. 514. Reports to Congress; certifications; regulations.

“Sec. 515. Closed captioning requirement for television commercials of eligible
 candidates.

“Subtitle C—Congressional Election Campaign Fund

“Sec. 521. Establishment and operation of the Fund.

“Sec. 522. Designation of receipts to the Fund.

1 **“Subtitle A—Election Campaigns**
2 **for the House of Representatives**

3 **“SEC. 501. EXPENDITURE LIMITATIONS.**

4 “(a) IN GENERAL.—An eligible House of Representa-
5 tives candidate may not, in an election cycle, make expend-
6 itures aggregating more than \$600,000.

7 “(b) RUNOFF ELECTION AND SPECIAL ELECTION
8 AMOUNTS.—

9 “(1) RUNOFF ELECTION AMOUNT.—If an eligi-
10 ble House of Representatives candidate is a can-
11 didate in a runoff election, the candidate may make
12 additional expenditures aggregating not more than
13 \$200,000 in the election cycle.

14 “(2) SPECIAL ELECTION AMOUNT.—An eligible
15 House of Representatives candidate who is a can-
16 didate in a special election may make expenditures
17 aggregating not more than \$600,000 with respect to
18 the special election.

19 “(c) CLOSELY CONTESTED PRIMARY.—If, as deter-
20 mined by the Commission, an eligible House of Represent-
21 atives candidate in a contested primary election wins that
22 primary election by a margin of 20 percentage points or
23 less, the candidate may make additional expenditures ag-
24 gregating not more than \$200,000 in the election cycle.

25 “(d) EXCEPTIONS TO LIMITATIONS.—

1 “(1) NONPARTICIPATING OPPONENT.—The lim-
2 itations imposed by subsections (a) and (b) do not
3 apply in the case of an eligible House of Representa-
4 tives candidate if any other general election can-
5 didate seeking nomination or election to that of-
6 fice—

7 “(A) is not an eligible House of Represent-
8 atives candidate; and

9 “(B) makes expenditures in excess of 30
10 percent of the limitation under subsection (a).

11 “(2) INDEPENDENT EXPENDITURES AGAINST
12 ELIGIBLE CANDIDATE.—The limitations imposed by
13 subsections (a) and (b) do not apply in the case of
14 an eligible House of Representatives candidate if the
15 total amount of independent expenditures made dur-
16 ing the election cycle on behalf of candidates oppos-
17 ing such eligible candidate exceeds \$15,000.

18 “(3) CONTINUED ELIGIBILITY FOR BENE-
19 FITS.—An eligible House of Representatives can-
20 didate referred to in paragraph (1) or paragraph (2)
21 shall continue to be eligible for all benefits under
22 this title.

23 “(e) EXEMPTION FOR LEGAL COSTS AND TAXES.—

24 “(1) IN GENERAL.—Any costs incurred by an
25 eligible House of Representatives candidate or his or

1 her authorized committee, or a Federal officeholder,
2 for qualified legal services, for Federal, State, or
3 local income taxes on earnings of a candidate's au-
4 thorized committees, or to comply with section 512
5 shall not be considered in the computation of
6 amounts subject to limitation under this section.

7 “(2) QUALIFIED LEGAL SERVICES.—For pur-
8 poses of this subsection, the term ‘qualified legal
9 services’ means—

10 “(A) any legal service performed on behalf
11 of an authorized committee; or

12 “(B) any legal service performed on behalf
13 of a candidate or Federal officeholder in con-
14 nection with his or her duties or activities as a
15 candidate or Federal officeholder.

16 “(f) EXEMPTION FOR FUNDRAISING OR ACCOUNTING
17 COSTS.—Any costs incurred by an eligible House of Rep-
18 resentatives candidate or his or her authorized committee
19 in connection with the solicitation of contributions on be-
20 half of such candidate, or for accounting services to ensure
21 compliance with this Act, shall not be considered in the
22 computation of amounts subject to expenditure limitation
23 under subsection (a) to the extent that the aggregate of
24 such costs does not exceed 10 percent of the expenditure
25 limitation under subsection (a).

1 “(g) INDEXING.—The dollar amounts specified in
2 subsections (a), (b), and (c) shall be adjusted at the begin-
3 ning of each calendar year based on the increase in the
4 price index determined under section 315(c), except that,
5 for the purposes of such adjustment, the base period shall
6 be calendar year 1996.

7 “(h) RECALL ACTIONS.—The limitations of this sec-
8 tion do not apply in the case of any recall action held pur-
9 suant to State law.

10 **“SEC. 502. PERSONAL CONTRIBUTION LIMITATIONS.**

11 “(a) PERSONAL CONTRIBUTIONS.—An eligible House
12 of Representatives candidate may not, with respect to an
13 election cycle, make contributions or loans to the can-
14 didate’s own campaign totaling more than \$50,000 from
15 the personal funds of the candidate. Contributions from
16 the personal funds of a candidate may not qualify for cer-
17 tification for voter benefits under this title.

18 “(b) LIMITATION EXCEPTION.—The limitation im-
19 posed by subsection (a) does not apply—

20 “(1) in the case of an eligible House of Rep-
21 resentatives candidate if any other general election
22 candidate for that office makes contributions or
23 loans to the candidate’s own campaign totaling more
24 than \$50,000 from the personal funds of the can-
25 didate; or

1 “(2) with respect to any contribution or loan
2 used for costs described in section 501 (e) or (f).

3 “(c) AGGREGATION.—For purposes of subsection (a),
4 any contribution or loan to a candidate’s campaign by a
5 member of a candidate’s immediate family shall be treated
6 as made by the candidate.

7 **“SEC. 503. DEFINITION.**

8 “‘As used in this title, the term ‘benefits’ means, with
9 respect to an eligible House of Representatives candidate,
10 reduced charges for use of a broadcasting station under
11 section 315 of the Communications Act of 1934 (47
12 U.S.C. 315) and eligibility for nonprofit third-class bulk
13 rates of postage under section 3626(e) of title 39, United
14 States Code.

15 **“Subtitle B—Administrative**
16 **Provisions**

17 **“SEC. 511. CERTIFICATIONS BY COMMISSION.**

18 “(a) GENERAL ELIGIBILITY.—The Commission shall
19 certify whether a candidate is eligible to receive benefits
20 under subtitle A. The initial determination shall be based
21 on the candidate’s filings under this title. Any subsequent
22 determination shall be based on relevant additional infor-
23 mation submitted in such form and manner as the Com-
24 mission may require.

25 “(b) CERTIFICATION OF BENEFITS.—

1 “(1) DEADLINE FOR RESPONSE TO RE-
2 QUESTS.—The Commission shall respond to a can-
3 didate’s request for certification for eligibility to re-
4 ceive benefits under this section not later than 5
5 business days after the candidate submits the re-
6 quest.

7 “(2) REQUESTS.—Any request for certification
8 submitted by a candidate shall contain—

9 “(A) such information and be made in ac-
10 cordance with such procedures as the Commis-
11 sion may provide by regulation; and

12 “(B) a verification signed by the candidate
13 and the treasurer of the principal campaign
14 committee of such candidate stating that the in-
15 formation furnished in support of the request,
16 to the best of their knowledge, is correct and
17 fully satisfies the requirement of this title.

18 “(3) PARTIAL CERTIFICATION.—If the Commis-
19 sion determines that any portion of a request does
20 not meet the requirement for certification, the Com-
21 mission shall withhold the certification for that por-
22 tion only and inform the candidate as to how the re-
23 quest may be corrected.

24 “(4) CERTIFICATION WITHHELD.—The Com-
25 mission may withhold certification if it determines

1 that a candidate who is otherwise eligible has en-
2 gaged in a pattern of activity indicating that the
3 candidate's filings under this title cannot be relied
4 upon.

5 “(c) WITHDRAWAL OF CERTIFICATION.—If the Com-
6 mission determines that a candidate who is certified as
7 an eligible House of Representatives candidate pursuant
8 to this section has made expenditures in excess of any
9 limit under subtitle A or otherwise no longer meets the
10 requirements for certification under this title, the Com-
11 mission shall revoke the candidate's certification.

12 **“SEC. 512. EXAMINATION AND AUDITS; REPAYMENTS AND**
13 **CIVIL PENALTIES.**

14 “(a) EXAMINATIONS AND AUDITS.—

15 “(1) GENERAL ELECTIONS.—After each general
16 election, the Commission shall conduct an examina-
17 tion and audit of the campaign accounts of 5 per-
18 cent of the eligible House of Representatives can-
19 didates, as designated by the Commission through
20 the use of an appropriate statistical method of ran-
21 dom selection, to determine whether such candidates
22 have complied with the conditions of eligibility and
23 other requirements of this title. The Commission
24 shall conduct an examination and audit of the ac-
25 counts of all candidates for election to an office

1 where any eligible candidate for the office is selected
2 for examination and audit.

3 “(2) SPECIAL ELECTION.—After each special
4 election involving an eligible candidate, the Commis-
5 sion shall conduct an examination and audit of the
6 campaign accounts of all candidates in the election
7 to determine whether the candidates have complied
8 with the conditions of eligibility and other require-
9 ments of this Act.

10 “(3) AFFIRMATIVE VOTE.—The Commission
11 may conduct an examination and audit of the cam-
12 paign accounts of any eligible House of Representa-
13 tives candidate in a general election if the Commis-
14 sion determines that there exists reason to believe
15 whether such candidate may have violated any provi-
16 sion of this title.

17 “(b) NOTIFICATION OF EXCESS EXPENDITURES.—If
18 the Commission determines that any eligible candidate
19 who has received benefits under this title has made ex-
20 penditures in excess of any limit under subtitle A, the
21 Commission shall notify the candidate.

22 “(c) CIVIL PENALTIES.—

23 “(1) EXCESS EXPENDITURES.—

24 “(A) LOW AMOUNT OF EXCESS EXPENDI-
25 TURES.—Any eligible House of Representatives

1 candidate who makes expenditures that exceed
2 a limitation under subtitle A by 2.5 percent or
3 less shall pay to the Commission an amount
4 equal to the amount of the excess expenditures.

5 “(B) MEDIUM AMOUNT OF EXCESS EX-
6 PENDITURES.—Any eligible House of Rep-
7 resentatives candidate who makes expenditures
8 that exceed a limitation under subtitle A by
9 more than 2.5 percent and less than 5 percent
10 shall pay to the Commission an amount equal
11 to three times the amount of the excess expend-
12 itures.

13 “(C) LARGE AMOUNT OF EXCESS EXPEND-
14 ITURES.—Any eligible House of Representatives
15 candidate who makes expenditures that exceed
16 a limitation under subtitle A by 5 percent or
17 more shall pay to the Commission an amount
18 equal to three times the amount of the excess
19 expenditures plus, if the Commission deter-
20 mines such excess expenditures were knowing
21 and willful, a civil penalty in an amount deter-
22 mined by the Commission.

23 “(2) MISUSED BENEFITS OF CANDIDATES.—If
24 the Commission determines that an eligible House of
25 Representatives candidate used any benefit received

1 under this title in a manner not provided for in this
2 title, the Commission may assess a civil penalty
3 against such candidate in an amount not greater
4 than 200 percent of the amount involved.

5 “(d) LIMIT ON PERIOD FOR NOTIFICATION.—No no-
6 tification shall be made by the Commission under this sec-
7 tion with respect to an election more than 3 years after
8 the date of such election.

9 **“SEC. 513. JUDICIAL REVIEW.**

10 “(a) JUDICIAL REVIEW.—Any agency action by the
11 Commission made under the provisions of this title shall
12 be subject to review by the United States Court of Appeals
13 for the District of Columbia Circuit upon petition filed in
14 such court within 30 days after the agency action by the
15 Commission for which review is sought. It shall be the
16 duty of the Court of Appeals, ahead of all matters not
17 filed under this title, to advance on the docket and expedi-
18 tiously take action on all petitions filed pursuant to this
19 title.

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

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

1 **“SEC. 514. REPORTS TO CONGRESS; CERTIFICATIONS; REG-**
2 **ULATIONS.**

3 “(a) **REPORTS.**—The Commission shall, as soon as
4 practicable after each election, submit a full report to the
5 House of Representatives setting forth—

6 “(1) the expenditures (shown in such detail as
7 the Commission determines appropriate) made by
8 each eligible candidate and the authorized commit-
9 tees of such candidate;

10 “(2) the benefits certified by the Commission as
11 available to each eligible candidate under this title;
12 and

13 “(3) the names of any candidates against whom
14 penalties were imposed under section 512, together
15 with the amount of each such penalty and the rea-
16 sons for its imposition.

17 “(b) **DETERMINATIONS BY COMMISSION.**—Subject to
18 sections 512 and 513, all determinations (including certifi-
19 cations under section 511) made by the Commission under
20 this title shall be final and conclusive.

21 “(c) **RULES AND REGULATIONS.**—The Commission is
22 authorized to prescribe such rules and regulations, in ac-
23 cordance with the provisions of subsection (d), to conduct
24 such audits, examinations and investigations, and to re-
25 quire the keeping and submission of such books, records,

1 and information, as it deems necessary to carry out the
2 functions and duties imposed on it by this title.

3 “(d) REPORT OF PROPOSED REGULATIONS.—The
4 Commission shall submit to the House of Representatives
5 a report containing a detailed explanation and justification
6 of each rule and regulation of the Commission under this
7 title. No such rule, regulation, or form may take effect
8 until a period of 60 legislative days has elapsed after the
9 report is received. As used in this subsection, the terms
10 ‘rule’ and ‘regulation’ mean a provision or series of inter-
11 related provisions stating a single, separable rule of law.

12 **“SEC. 515. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
13 **VISION COMMERCIALS OF ELIGIBLE CAN-**
14 **DIDATES.**

15 “No eligible House of Representatives candidate may
16 receive benefits under subtitle A unless such candidate has
17 certified that any television commercial prepared or dis-
18 tributed by the candidate will be prepared in a manner
19 that contains, is accompanied by, or otherwise readily per-
20 mits closed captioning of the oral content of the commer-
21 cial to be broadcast by way of line 21 of the vertical blank-
22 ing interval, or by way of comparable successor tech-
23 nologies.”.

1 **Subtitle B—Limitations on Con-**
2 **tributions to House of Rep-**
3 **resentatives Candidates**

4 **SEC. 121. LIMITATIONS ON POLITICAL COMMITTEES.**

5 (a) MULTICANDIDATE POLITICAL COMMITTEES.—
6 Section 315(a)(2)(A) of the Federal Election Campaign
7 Act of 1971 (2 U.S.C. 441a(a)(2)(A)) is amended by
8 striking out “with respect” and all that follows through
9 “\$5,000,” and inserting in lieu thereof: “which, in the ag-
10 gregate, exceed \$5,000 with respect to an election for Fed-
11 eral office or \$8,000 with respect to an election cycle (not
12 including a runoff election);”.

13 (b) CANDIDATE’S COMMITTEES.—(1) Section 315(a)
14 of such Act (2 U.S.C. 441a(a)) is amended by adding at
15 the 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 officeholder.
21 Nothing in this paragraph shall be construed to permit
22 the establishment, financing, maintenance, or control of
23 any committee which is prohibited by paragraph (3) or
24 (6) of section 302(e).”

1 (2) Section 302(e)(3) of such Act (2 U.S.C.
2 432(e)(3)) is amended to read as follows:

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

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

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

17 (c) EFFECTIVE DATES.—(1) Except as provided in
18 paragraph (2), the amendments made by this section shall
19 apply to elections (and the election cycles relating thereto)
20 occurring after December 31, 1998.

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

23 (A) contributions made or received before Janu-
24 ary 1, 1999; or

1 (B) contributions made to, or received by, a
2 candidate on or after January 1, 1999, to the extent
3 such contributions are not greater than the excess
4 (if any) of—

5 (i) such contributions received by any op-
6 ponent of the candidate before January 1,
7 1999, over

8 (ii) such contributions received by the can-
9 didate before January 1, 1999.

10 **SEC. 122. LIMITATIONS ON POLITICAL COMMITTEE AND**
11 **LARGE DONOR CONTRIBUTIONS THAT MAY**
12 **BE ACCEPTED BY HOUSE OF REPRESENTA-**
13 **TIVES CANDIDATES.**

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

17 “(i) LIMITATIONS ON CONTRIBUTIONS ACCEPTED BY
18 HOUSE OF REPRESENTATIVES CANDIDATE.—

19 “(1) POLITICAL COMMITTEES.—A candidate for
20 the office of Representative in, or Delegate or Resi-
21 dent Commissioner to, the Congress may not, with
22 respect to an election cycle, accept contributions
23 from political committees aggregating in excess of
24 \$200,000.

1 “(2) PERSONS OTHER THAN POLITICAL COM-
2 MITTEES.—A candidate for the office of Representa-
3 tive in, or Delegate or Resident Commissioner to,
4 the Congress may not, with respect to an election
5 cycle, accept contributions aggregating in excess of
6 \$200,000 from persons other than political commit-
7 tees whose contributions total more than \$200.

8 “(3) CONTESTED PRIMARIES.—In addition to
9 the contributions under paragraphs (1) and (2), if a
10 House of Representatives candidate in a contested
11 primary election wins that primary election by a
12 margin of 20 percentage points or less, the can-
13 didate may accept contributions of—

14 “(A) not more than \$66,600 from political
15 committees; and

16 “(B) not more than \$66,600 from persons
17 referred to in paragraph (2).

18 “(4) RUNOFF ELECTIONS.—In addition to the
19 contributions under paragraphs (1) and (2), a
20 House of Representatives candidate who is a can-
21 didate in a runoff election may accept contributions
22 of (A) not more than \$100,000 from political com-
23 mittees; and (B) not more than \$100,000 from per-
24 sons referred to in paragraph (2).

1 “(5) EXEMPTION FOR CERTAIN COSTS.—Any
2 amount—

3 “(A) accepted by a House of Representa-
4 tives candidate; and

5 “(B) used for costs incurred under section
6 501 (e) and (f),

7 shall not be considered in the computation of
8 amounts subject to limitation under this subsection.

9 “(6) TRANSFER PROVISION.—The limitations
10 imposed by this subsection shall apply without re-
11 gard to amounts transferred from previous election
12 cycles or other authorized committees of the same
13 candidate. Candidates shall not be required to seek
14 the redesignation of contributions in order to trans-
15 fer such contributions to a later election cycle.

16 “(7) INDEXATION OF AMOUNTS.—The dollar
17 amounts specified in this subsection shall be ad-
18 justed at the beginning of each calendar year based
19 on the increase in the price index determined under
20 subsection (e), except that, for the purposes of such
21 adjustment, the base period shall be calendar year
22 1996.”

1 “(6)(A) In the case of a candidate for the office of
2 Representative in, or Delegate or Resident Commissioner
3 to, the Congress, who desires to be an eligible House of
4 Representatives candidate, a declaration of participation
5 of the candidate to abide by the limits specified in sections
6 315(i), 501, and 502 and provide the information required
7 under section 503(b)(4) shall be included in the designa-
8 tion required to be filed under paragraph (1).

9 “(B) A declaration of participation that is included
10 in a statement of candidacy may not thereafter be re-
11 voked.”

12 **SEC. 133. DEFINITIONS.**

13 (a) IN GENERAL.—Section 301 of the Federal Elec-
14 tion Campaign Act of 1971 (2 U.S.C. 431) is amended
15 by striking paragraph (19) and inserting the following new
16 paragraphs:

17 “(19) The term ‘election cycle’ means—

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

24 “(B) for all other persons, the term beginning
25 on the first day following the date of the last general

1 election and ending on the date of the next general
2 election.

3 “(20) The term ‘general election’ means any election
4 which will directly result in the election of a person to a
5 Federal office.

6 “(21) The term ‘general election period’ means, with
7 respect to any candidate, the period beginning on the day
8 after the date of the primary or runoff election for the
9 specific office the candidate is seeking, whichever is later,
10 and ending on the earlier of—

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

12 “(B) the date on which the candidate withdraws
13 from the campaign or otherwise ceases actively to
14 seek election.

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

16 “(A) a candidate’s spouse;

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

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

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

1 “(24) The term ‘primary election period’ means, with
2 respect to any candidate, the period beginning on the day
3 following the date of the last election for the specific office
4 the candidate is seeking and ending on the earlier of—

5 “(A) the date of the first primary election for
6 that office following the last general election for that
7 office; or

8 “(B) the date on which the candidate withdraws
9 from the election or otherwise ceases actively to seek
10 election.

11 “(25) The term ‘runoff election’ means an election
12 held after a primary election which is prescribed by appli-
13 cable State law as the means for deciding which candidate
14 will be on the ballot in the general election for a Federal
15 office.

16 “(26) The term ‘runoff election period’ means, with
17 respect to any candidate, the period beginning on the day
18 following the date of the last primary election for the spe-
19 cific office such candidate is seeking and ending on the
20 date of the runoff election for such office.

21 “(27) The term ‘special election’ means any election
22 (whether primary, runoff, or general) for Federal office
23 held by reason of a vacancy in the office arising before
24 the end of the term of the office.

1 “(28) The term ‘special election period’ means, with
2 respect to any candidate for any Federal office, the period
3 beginning on the date the vacancy described in paragraph
4 (28) occurs and ending on the earlier of—

5 “(A) the date the election resulting in the elec-
6 tion of a person to the office occurs; or

7 “(B) the date on which the candidate withdraws
8 from the campaign or otherwise ceases actively to
9 seek election.

10 “(29) The term ‘eligible House of Representatives
11 candidate’ means a candidate for election to the office of
12 Representative in, or Delegate or Resident Commissioner
13 to, the Congress, who, as determined by the Commission
14 under section 511, is eligible to receive benefits under sub-
15 title A of title V by reason of filing a declaration of partici-
16 pation under section 302(e) and complying with the con-
17 tinuing eligibility requirements under section 511.”

18 (b) IDENTIFICATION.—Section 301(13)(A) of such
19 Act (2 U.S.C. 431(13)(A)) is amended by striking “mail-
20 ing address” and inserting “permanent residence ad-
21 dress”.

1 **Subtitle D—Tax on Excess Political**
 2 **Expenditures of Certain Con-**
 3 **gressional Campaign Funds**

4 **SEC. 141. TAX TREATMENT OF CERTAIN CAMPAIGN FUNDS.**

5 (a) GENERAL RULE.—Chapter 41 of the Internal
 6 Revenue Code of 1986 is amended by adding at the end
 7 thereof the following new subchapter:

8 **“Subchapter B—Excess Political Expendi-**
 9 **tures of Certain Congressional Campaign**
 10 **Funds**

“Sec. 4915. Tax on excess political expenditures of certain cam-
 paign funds.

11 **“SEC. 4915. TAX ON EXCESS POLITICAL EXPENDITURES OF**
 12 **CERTAIN CAMPAIGN FUNDS.**

13 “(a) IMPOSITION OF TAX.—If any applicable cam-
 14 paign fund has excess political expenditures for any elec-
 15 tion cycle, there is hereby imposed on such excess political
 16 expenditures a tax equal to the amount of such excess po-
 17 litical expenditures multiplied by the highest rate of tax
 18 specified in section 11(b). Such tax shall be imposed for
 19 the taxable year of such fund in which such election cycle
 20 ends.

21 “(b) APPLICABLE CAMPAIGN FUND.—For purposes
 22 of this section, the term ‘applicable campaign fund’ means
 23 any political organization if—

1 “(1) such organization is designated by a can-
2 didate for election or nomination to the House of
3 Representatives as such candidate’s principal cam-
4 paign committee for purposes of section 302(e) of
5 the Federal Election Campaign Act of 1971 (2
6 U.S.C. 432(e)), and

7 “(2) such candidate has made contributions to
8 such political organization during the election cycle
9 in excess of the contribution limitation which would
10 have been applicable under section 501(a) or 512(a)
11 of such Act, whichever is applicable, if an election
12 under such section had been made.

13 “(c) EXCESS POLITICAL EXPENDITURES.—

14 “(1) IN GENERAL.—For purposes of this sec-
15 tion, the term ‘excess political expenditures’ means,
16 with respect to any election cycle, the excess (if any)
17 of the political expenditures incurred by the applica-
18 ble campaign fund during such cycle, over, in the
19 case of a House of Representatives candidate, the
20 expenditure ceiling which would have been applicable
21 under subtitle B of title V of such Act if an election
22 under such subtitle had been made.

1 “(2) SPECIAL RULE FOR DETERMINING
2 AMOUNT OF EXPENDITURES.—For purposes of para-
3 graph (1), in determining the amount of political ex-
4 penditures incurred by an applicable campaign fund,
5 there shall be excluded any such expenditure which
6 would not have been subject to the expenditure limi-
7 tations of title V of the Federal Election Campaign
8 Act of 1971 had such limitations been applicable,
9 other than any such expenditure which would have
10 been exempt from such limitations under section
11 501(e) or 501(f) of such Act.

12 “(d) OTHER DEFINITIONS AND SPECIAL RULES.—
13 For purposes of this section—

14 “(1) ELECTION CYCLE.—The term ‘election
15 cycle’ has the meaning given such term by section
16 301 of the Federal Election Campaign Act of 1971.

17 “(2) POLITICAL ORGANIZATION.—The term ‘po-
18 litical organization’ has the meaning given to such
19 term by section 527(e)(1).

20 “(3) CERTAIN RULES MADE APPLICABLE.—
21 Rules similar to the rules of section 4911(e)(4) shall
22 apply.”

23 (b) CLERICAL AMENDMENTS.—

1 (1) Chapter 41 of such Code is amended by
 2 striking the chapter heading and inserting the fol-
 3 lowing:

4 **“CHAPTER 41—LOBBYING AND POLITICAL**
 5 **EXPENDITURES OF CERTAIN ORGANI-**
 6 **ZATIONS**

“Subchapter A. Public charities.

“Subchapter B. Excess political expenditures of certain campaign
 funds.

7 **“Subchapter A—Public Charities”.**

8 (2) The table of sections for subtitle D of such
 9 Code is amended by striking the item relating to
 10 chapter 41 and inserting the following:

“Chapter 41. Lobbying and political expenditures of certain orga-
 nizations.”

11 (c) EFFECTIVE DATE.—The amendments made by
 12 this section shall apply to taxable years beginning after
 13 December 31, 1998.

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

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

18 (a) INDEPENDENT EXPENDITURE DEFINITION
 19 AMENDMENT.—Section 301 of the Federal Election Cam-
 20 paign Act of 1971 (2 U.S.C. 431) is amended by striking
 21 paragraphs (17) and (18) and inserting the following:

1 “(17)(A) The term ‘independent expenditure’ means
2 an expenditure that—

3 “(i) contains express advocacy; and

4 “(ii) is made without the participation or co-
5 operation of and without consultation with a can-
6 didate or a candidate’s representative.

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

9 “(i) An expenditure made by an authorized
10 committee of a candidate for Federal office.

11 “(ii) An expenditure if there is any arrange-
12 ment, coordination, or direction with respect to the
13 expenditure between the candidate or the candidate’s
14 agent and the person making the expenditure.

15 “(iii) An expenditure if, in the same election
16 cycle, the person making the expenditure is or has
17 been—

18 “(I) authorized to raise or expend funds on
19 behalf of the candidate or the candidate’s au-
20 thorized committees; or

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

24 “(iv) An expenditure if the person making the
25 expenditure retains the professional services of any

1 individual or other person also providing services in
2 the same election cycle to the candidate in connec-
3 tion with the candidate’s pursuit of nomination for
4 election, or election, to Federal office, including any
5 services relating to the candidate’s decision to seek
6 Federal office. For purposes of this clause, the term
7 ‘professional services’ shall include any services
8 (other than legal and accounting services solely for
9 purposes of ensuring compliance with any Federal
10 law) in support of any candidate’s or candidates’
11 pursuit of nomination for election, or election, to
12 Federal office.

13 For purposes of this subparagraph, the person making the
14 expenditure shall include any officer, director, employee,
15 or agent of such person.

16 “(18)(A) The term ‘express advocacy’ means, when
17 a communication is taken as a whole and with limited ref-
18 erence to external events, an expression of support for or
19 opposition to a specific candidate, to a specific group of
20 candidates, or to candidates of a particular political party.

21 “(B) The term ‘expression of support for or opposi-
22 tion to’ includes a suggestion to take action with respect
23 to an election, such as to vote for or against, make con-
24 tributions to, or participate in campaign activity, or to re-
25 frain from taking action.”.

1 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
2 tion 301(8)(A) of such Act (2 U.S.C. 431(8)(A)) is
3 amended—

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

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

8 (3) by adding at the end the following new
9 clause:

10 “(iii) any payment or other transaction referred
11 to in paragraph (17)(A)(i) that is not an independ-
12 ent expenditure under paragraph (17).”.

13 **SEC. 202. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
14 **PENDENT EXPENDITURES.**

15 Section 304(c) of the Federal Election Campaign Act
16 of 1971 (2 U.S.C. 434(c)) is amended—

17 (1) in paragraph (2), by striking the undesig-
18 nated matter after subparagraph (C);

19 (2) by redesignating paragraph (3) as para-
20 graph (9); and

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

1 “(3)(A) Any person (including a political committee)
2 making independent expenditures (including those de-
3 scribed in subsection (b)(6)(B)(iii)) with respect to a can-
4 didate in an election aggregating \$1,000 or more made
5 after the 20th day, but more than 24 hours, before the
6 election shall file a report within 24 hours after such inde-
7 pendent expenditures are made. An additional report shall
8 be filed each time independent expenditures aggregating
9 \$1,000 are made with respect to the same candidate after
10 the latest report filed under this subparagraph.

11 “(B) Any person (including a political committee)
12 making independent expenditures with respect to a can-
13 didate in an election aggregating \$2,500 or more made
14 at any time up to and including the 20th day before the
15 election shall file a report within 48 hours after such inde-
16 pendent expenditures are made. An additional report shall
17 be filed each time independent expenditures aggregating
18 \$2,500 are made with respect to the same candidate after
19 the latest report filed under this paragraph.

20 “(C) A report under subparagraph (A) or (B) shall
21 be filed with the Commission and the Secretary of State
22 of the State involved, and shall identify each candidate
23 whom the expenditure is actually intended to support or
24 to oppose. Not later than 48 hours after the Commission
25 receives a report, the Commission shall transmit a copy

1 of the report to each candidate seeking nomination or elec-
2 tion to that office.

3 “(D) For purposes of this section, an independent ex-
4 penditure shall be considered to have been made upon the
5 making of any payment or the taking of any action to
6 incur an obligation for payment.

7 “(4)(A) If any person (including a political commit-
8 tee) intends to make independent expenditures with re-
9 spect to a candidate in an election totaling \$2,500 or more
10 during the 20 days before an election, such person shall
11 file a report no later than the 20th day before the election.

12 “(B) A report under subparagraph (A) shall be filed
13 with the Commission and the Secretary of State of the
14 State involved, and shall identify each candidate whom the
15 expenditure is actually intended to support or to oppose.
16 Not later than 48 hours after the Commission receives a
17 report under this paragraph, the Commission shall trans-
18 mit a copy of the statement to each candidate identified.

19 “(5) The Commission may, upon a request of a can-
20 didate or on its own initiative, make its own determination
21 that a person has made, or has incurred obligations to
22 make, independent expenditures with respect to any can-
23 didate in any election which in the aggregate exceed the
24 applicable amounts under paragraph (3) or (4). The Com-
25 mission shall notify each candidate in such election of such

1 determination within 48 hours after making it. Any deter-
2 mination made at the request of a candidate shall be made
3 within 48 hours of the request.

4 “(6) At the time at which an eligible House of Rep-
5 resentatives candidate is notified under paragraph (3),
6 (4), or (5) with respect to expenditures during a general
7 election period, the Commission shall certify eligibility to
8 receive benefits under section 504(a)(3)(B) or section
9 513(f).

10 “(7)(A) A person that makes a reservation of broad-
11 cast time to which section 315(a) of the Communications
12 Act of 1947 (47 U.S.C. 315(a)) applies, the payment for
13 which would constitute an independent expenditure, shall
14 at the time of reservation—

15 “(i) inform the broadcast licensee that payment
16 for the broadcast time will constitute an independent
17 expenditure;

18 “(ii) inform the broadcast licensee of the names
19 of all candidates for the office to which the proposed
20 broadcast relates and state whether the message to
21 be broadcast is intended to be made in support of
22 or in opposition to each such candidate;

23 “(iii) transmit to all candidates for the office to
24 which the proposed broadcast relates a script or tape

1 recording of the communication, or an accurate sum-
2 mary of the communication if a script or tape re-
3 cording is not available.”.

4 **TITLE III—CONTRIBUTIONS AND**
5 **EXPENDITURES BY POLITI-**
6 **CAL PARTY COMMITTEES**

7 **SEC. 301. DEFINITIONS.**

8 (a) CONTRIBUTION AND EXPENDITURE EXCEP-
9 TIONS.—(1) Section 301(8)(B) of the Federal Election
10 Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amend-
11 ed—

12 (A) in clause (x)—

13 (i) by striking “and” at the end of sub-
14 clause (2),

15 (ii) by inserting “and” at the end of sub-
16 clause (3), and

17 (iii) by adding at the end the following new
18 subelause:

19 “(4) such activities are conducted solely by, and
20 any materials are prepared for distribution and
21 mailing and are distributed (if other than by mail-
22 ing) solely by, volunteers;”;

23 (B) in clause (xi), by striking “That” and all
24 that follows through “Act;” and inserting “That—

1 “(1) such payments are made from contribu-
2 tions subject to the limitations and prohibitions of
3 this Act; and

4 “(2) such activities are conducted solely by, and
5 any materials are prepared for distribution and
6 mailing and are distributed (if other than by mail-
7 ing) solely by, volunteers;” and

8 (C) in clause (xii)—

9 (i) by inserting “in connection with volun-
10 teer activities” after “such committee”,

11 (ii) by striking “for President and Vice
12 President”,

13 (iii) by striking “and” at the end of sub-
14 clause (2),

15 (iv) by inserting “and” at the end of sub-
16 clause (3), and

17 (v) by adding at the end the following new
18 subclause:

19 “(4) such activities are conducted solely
20 by, and any materials are prepared for distribu-
21 tion and mailing and are distributed (if other
22 than by mailing) solely by, volunteers;”.

23 (2) Section 301(9)(B) of such Act (2 U.S.C.
24 431(9)(B)) is amended—

25 (A) in clause (viii)—

1 (i) by striking “and” at the end of sub-
2 clause (2),

3 (ii) by inserting “and” at the end of sub-
4 clause (3), and

5 (iii) by adding at the end the following new
6 subclause:

7 “(4) such activities are conducted solely
8 by, and any materials are prepared for distribu-
9 tion and mailing and are distributed (if other
10 than by mailing) solely by, volunteers;”;

11 (B) in clause (ix)—

12 (i) by inserting “in connection with volun-
13 teer activities” after “such committee”,

14 (ii) by striking “for President or Vice
15 President”, and

16 (iii) by striking “and” at the end of sub-
17 clause (2), by inserting “and” at the end of
18 subclause (3), and by adding at the end the fol-
19 lowing new subclause:

20 “(4) such activities are conducted solely
21 by, and any materials are prepared for distribu-
22 tion and are distributed (if other than by mail-
23 ing) solely by, volunteers;”.

24 (b) GENERIC ACTIVITIES; STATE PARTY GRASS-
25 ROOTS FUND.—Section 301 of such Act (2 U.S.C. 431),

1 as amended by section 133, is further amended by adding
2 at the end the following new paragraphs:

3 “(30) The term ‘generic campaign activity’
4 means a campaign activity that promotes a political
5 party rather than any particular Federal or non-
6 Federal candidate.

7 “(31) The term ‘State Party Grassroots Fund’
8 means a separate segregated fund established and
9 maintained by a State committee of a political party
10 solely for purposes of making expenditures and other
11 disbursements described in section 324(d).”.

12 **SEC. 302. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
13 **TEES.**

14 (a) INDIVIDUAL CONTRIBUTIONS TO STATE
15 PARTY.—Section 315(a)(1) of the Federal Election Cam-
16 paign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

17 (1) by striking “or” at the end of subparagraph
18 (B);

19 (2) by redesignating subparagraph (C) as sub-
20 paragraph (D); and

21 (3) by inserting after subparagraph (B) the fol-
22 lowing new subparagraph:

23 “(C) to—

24 “(i) a State Party Grassroots Fund estab-
25 lished and maintained by a State committee of

1 a political party in any calendar year which, in
2 the aggregate, exceed \$20,000; or

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

7 except that the aggregate contributions described in
8 this subparagraph which may be made by a person
9 to the State Party Grassroots Fund and all commit-
10 tees of a State committee of a political party in any
11 State in any calendar year shall not exceed \$20,000;
12 or”.

13 (b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS
14 TO STATE PARTY.—Section 315(a)(2) of such Act (2
15 U.S.C. 441a(a)(2)) is amended—

16 (1) by striking “or” at the end of subparagraph
17 (B);

18 (2) by redesignating subparagraph (C) as sub-
19 paragraph (D); and

20 (3) by inserting after subparagraph (B) the fol-
21 lowing new subparagraph:

22 “(C) to—

23 “(i) a State Party Grassroots Fund estab-
24 lished and maintained by a State committee of

1 a political party in any calendar year which, in
2 the aggregate, exceed \$15,000; or

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

7 except that the aggregate contributions described in
8 this subparagraph which may be made by a multi-
9 candidate political committee to the State Party
10 Grassroots Fund and all committees of a State com-
11 mittee of a political party in any State in any cal-
12 endar year shall not exceed \$15,000; or”.

13 (c) OVERALL LIMIT.—Section 315(a)(3) of such Act
14 (2 U.S.C. 441a(a)(3)) is amended to read as follows:

15 “(3)(A) No individual shall make contributions dur-
16 ing any election cycle which, in the aggregate, exceed
17 \$100,000.

18 “(B) No individual shall make contributions during
19 any calendar year—

20 “(i) to all candidates and their authorized polit-
21 ical committees which, in the aggregate, exceed
22 \$25,000; or

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

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

7 (d) PRESIDENTIAL CANDIDATE COMMITTEE TRANS-
8 FERS.—(1) Section 315(b)(1) of such Act (2 U.S.C.
9 441a(b)(1)) is amended to read as follows:

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

12 “(i) \$20,000,000, plus

13 “(ii) the amounts transferred by the can-
14 didate and the authorized committees of the
15 candidate to the national committee of the can-
16 didate’s political party for distribution to State
17 Party Grassroots Funds.

18 In no event shall the amount under subparagraph (B)(ii)
19 exceed 2 cents multiplied by the voting age population of
20 the United States (as certified under subsection (e)). The
21 Commission may require reporting of the transfers de-
22 scribed in subparagraph (B)(ii), may conduct an examina-
23 tion and audit of any such transfer, and may require the
24 return of the transferred amounts to the Presidential

1 Election Campaign Fund if not used for the appropriate
2 purpose.”

3 (2) Subparagraph (A) of section 9002(11) of the In-
4 ternal Revenue Code of 1986 is amended—

5 (A) by striking “or” at the end of clause (ii);
6 and

7 (B) in clause (iii), by striking “offices,” and in-
8 sserting the following: “offices, or (iv) consisting of a
9 transfer to the national committee of the political
10 party of a candidate for the office of President or
11 Vice President for distribution to State Party Grass-
12 roots Funds (as defined in the Federal Election
13 Campaign Act of 1971) to the extent such transfers
14 do not exceed the amount determined under section
15 315(b)(1)(B)(ii) of such Act,”.

16 **SEC. 303. INCREASE IN THE AMOUNT THAT MULTICAN-**
17 **DIDATE POLITICAL COMMITTEES MAY CON-**
18 **TRIBUTE TO NATIONAL POLITICAL PARTY**
19 **COMMITTEES.**

20 Section 315(a)(2)(B) of the Federal Election Cam-
21 paign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended
22 by striking “\$15,000” and inserting “\$25,000”.

1 **SEC. 304. MERCHANDISING AND AFFINITY CARDS.**

2 Section 316 of the Federal Election Campaign Act
3 of 1971 (2 U.S.C. 441b) is amended by adding at the end
4 the following new subsection:

5 “(c) Notwithstanding the provisions of this section or
6 any other provision of this Act to the contrary, an amount
7 received from a corporation (including a State-chartered
8 or national bank) by any political committee (other than
9 a separate segregated fund established under section
10 316(b)(2)(C)) shall be deemed to meet the limitations and
11 prohibitions of this Act if such amount represents a com-
12 mission or royalty on the sale of goods or services, or on
13 the issuance of credit cards, by such corporation and if—

14 “(1) such goods, services, or credit cards are
15 promoted by or in the name of the political commit-
16 tee as a means of contributing to or supporting the
17 political committee and are offered to consumers
18 using the name of the political committee or using
19 a message, design, or device created and owned by
20 the political committee, or both;

21 “(2) the corporation is in the business of mer-
22 chandising such goods or services, or of issuing such
23 credit cards;

24 “(3) the royalty or commission has been offered
25 by the corporation to the political committee in the
26 ordinary course of the corporation’s business and on

1 the same terms and conditions as those on which
2 such corporation offers royalties or commissions to
3 nonpolitical entities;

4 “(4) all revenue on which the commission or
5 royalty is based represents, or results from, sales to
6 or fees paid by individual consumers in the ordinary
7 course of retail transactions;

8 “(5) the costs of any unsold inventory of goods
9 are ultimately borne by the political committee in ac-
10 cordance with rules to be prescribed by the Commis-
11 sion; and

12 “(6) except for any royalty or commission per-
13 mitted to be paid by this subsection, no goods, serv-
14 ices, or anything else of value is provided by such
15 corporation to the political committee, except that
16 such corporation may advance or finance costs or ex-
17 tend credit in connection with the manufacture and
18 distribution of goods, provision of services, or issu-
19 ance of credit cards pursuant to this subsection if
20 and to the extent such advance, financing, or exten-
21 sion is undertaken in the ordinary course of the cor-
22 poration’s business and is undertaken on similar
23 terms by such corporation in its transactions with
24 nonpolitical entities in like circumstances.”

1 **SEC. 305. PROVISIONS RELATING TO NATIONAL, STATE,**
2 **AND LOCAL PARTY COMMITTEES.**

3 (a) SOFT MONEY OF COMMITTEES OF POLITICAL
4 PARTIES.—Title III of the Federal Election Campaign Act
5 of 1971 is amended by inserting after section 323 the fol-
6 lowing new section:

7 “POLITICAL PARTY COMMITTEES

8 “SEC. 324. (a) LIMITATIONS ON NATIONAL COMMIT-
9 TEE.—(1) A national committee of a political party and
10 the congressional campaign committees of a political party
11 may not solicit or accept contributions or transfers not
12 subject to the limitations, prohibitions, and reporting re-
13 quirements of this Act.

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

15 “(A) that—

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

20 “(ii) are described in section
21 301(8)(B)(viii); and

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

25 “(b) ACTIVITIES SUBJECT TO THIS ACT.—Any
26 amount solicited, received, expended, or disbursed directly

1 or indirectly by a national, State, district, or local commit-
2 tee of a political party with respect to any of the following
3 activities shall be subject to the limitations, prohibitions,
4 and reporting requirements of this Act:

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

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

10 “(2) Any generic campaign activity.

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

13 “(A) a State or local candidate is also
14 identified or promoted; or

15 “(B) any portion of the funds disbursed
16 constitutes a contribution or expenditure under
17 this Act.

18 “(4) Voter registration.

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

21 “(6) Any other activity that—

22 “(A) significantly affects a Federal elec-
23 tion, or

24 “(B) is not otherwise described in section
25 301(9)(B)(xvii).

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

5 “(c) GET-OUT-THE-VOTE ACTIVITIES BY STATE,
6 DISTRICT, AND LOCAL COMMITTEES OF POLITICAL PAR-
7 TIES.—(1) Except as provided in paragraph (2), any get-
8 out-the-vote activity for a State or local candidate, or for
9 a ballot measure, which is conducted by a State, district,
10 or local committee of a political party shall be subject to
11 the limitations, prohibitions, and reporting requirements
12 of this Act.

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

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

19 “(B) is exclusively on behalf of (and specifically
20 identifies only) one or more State or local candidates
21 or ballot measures, and

22 “(C) does not include any effort or means used
23 to identify or turn out those identified to be support-
24 ers of any Federal candidate (including any activity

1 that is undertaken in coordination with, or on behalf
2 of, a candidate for Federal office).

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

7 “(A) any generic campaign activity;

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

11 “(C) subject to the limitations of section
12 315(d), payments described in clause (xii) of para-
13 graph (8)(B), and clause (ix) of paragraph (9)(B),
14 of section 301 on behalf of candidates other than for
15 President and Vice President;

16 “(D) voter registration; and

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

19 “(2) Notwithstanding section 315(a)(4), no funds
20 may be transferred by a State committee of a political
21 party from its State Party Grassroots Fund to any other
22 State Party Grassroots Fund or to any other political com-
23 mittee, except a transfer may be made to a district or local
24 committee of the same political party in the same State
25 if such district or local committee—

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

3 “(B) uses the transferred funds solely for those
4 purposes.

5 “(e) AMOUNTS RECEIVED BY GRASSROOTS FUND
6 FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1)
7 Any amount received by a State Party Grassroots Fund
8 from a State or local candidate committee for expenditures
9 described in subsection (b) that are for the benefit of that
10 candidate shall be treated as meeting the requirements of
11 subsection (b) and section 304(e) if—

12 “(A) such amount is derived from funds which
13 meet the requirements of this Act with respect to
14 any limitation or prohibition as to source or dollar
15 amount specified in section 315(a) (1)(A) and
16 (2)(A); and

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

18 “(i) maintains, in the account from which
19 payment is made, records of the sources and
20 amounts of funds for purposes of determining
21 whether such requirements are met; and

22 “(ii) certifies that such requirements were
23 met.

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

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

7 “(B) the committee must be able to dem-
8 onstrate that its cash on hand contains sufficient
9 funds meeting such requirements as are necessary to
10 cover the transferred funds.

11 “(3) Notwithstanding paragraph (1), any State Party
12 Grassroots Fund receiving any transfer described in para-
13 graph (1) from a State or local candidate committee shall
14 be required to meet the reporting requirements of this Act,
15 and shall submit to the Commission all certifications re-
16 ceived, with respect to receipt of the transfer from such
17 candidate committee.

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

22 “(f) RELATED ENTITIES.—The provisions of this Act
23 shall apply to any entity that is established, financed, or
24 maintained by a national committee or State committee

1 of a political party in the same manner as they apply to
2 the national or State committee.”

3 (b) CONTRIBUTIONS AND EXPENDITURES.—

4 (1) CONTRIBUTIONS.—Section 301(8)(B) of
5 such Act (2 U.S.C. 431(8)(B)) is amended—

6 (A) in clause (viii), by inserting after
7 “Federal office” the following: “, or any
8 amounts received by the committees of any na-
9 tional political party to support the operation of
10 a television and radio broadcast facility”;

11 (B) by striking “and” at the end of clause
12 (xiii);

13 (C) by striking clause (xiv); and

14 (D) by adding at the end the following new
15 clauses:

16 “(xiv) any amount contributed to a
17 candidate for other than Federal office;

18 “(xv) any amount received or ex-
19 pended to pay the costs of a State or local
20 political convention;

21 “(xvi) any payment for campaign ac-
22 tivities that are exclusively on behalf of
23 (and specifically identify only) State or
24 local candidates and do not identify any

1 Federal candidate, and that are not activi-
2 ties described in section 324(b) (without
3 regard to paragraph (6)(B)) or section
4 324(c)(1);

5 “(xvii) any payment for administrative
6 expenses of a State or local committee of
7 a political party, including expenses for—

8 “(I) overhead, including party
9 meetings;

10 “(II) staff (other than individuals
11 devoting a significant amount of their
12 time to elections for Federal office
13 and individuals engaged in conducting
14 get-out-the-vote activities for a Fed-
15 eral election); and

16 “(III) conducting party elections
17 or caucuses;

18 “(xviii) any payment for research per-
19 taining solely to State and local candidates
20 and issues;

21 “(xix) any payment for development
22 and maintenance of voter files other than
23 during the 1-year period ending on the
24 date during an even-numbered calendar

1 year on which regularly scheduled general
2 elections for Federal office occur; and

3 “(xx) any payment for any other ac-
4 tivity which is solely for the purpose of in-
5 fluencing, and which solely affects, an elec-
6 tion for non-Federal office and which is
7 not an activity described in section 324(b)
8 (without regard to paragraph (6)(B)) or
9 section 324(c)(1).”.

10 (2) EXPENDITURES.—Section 301(9)(B) of
11 such Act (2 U.S.C. 431(9)(B)) is amended—

12 (A) by striking “and” at the end of clause
13 (ix);

14 (B) by striking the period at the end of
15 clause (x) and inserting a semicolon; and

16 (C) by adding at the end the following new
17 clauses:

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

20 “(xii) any amount received or ex-
21 pended to pay the costs of a State or local
22 political convention;

23 “(xiii) any payment for campaign ac-
24 tivities that are exclusively on behalf of
25 (and specifically identify only) State or

1 local candidates and do not identify any
2 Federal candidate, and that are not activi-
3 ties described in section 324(b) (without
4 regard to paragraph (6)(B)) or section
5 324(c)(1);

6 “(xiv) any payment for administrative
7 expenses of a State or local committee of
8 a political party, including expenses for—

9 “(I) overhead, including party
10 meetings;

11 “(II) staff (other than individuals
12 devoting a significant amount of their
13 time to elections for Federal office
14 and individuals engaged in conducting
15 get-out-the-vote activities for a Fed-
16 eral election); and

17 “(III) conducting party elections
18 or caucuses;

19 “(xv) any payment for research per-
20 taining solely to State and local candidates
21 and issues;

22 “(xvi) any payment for development
23 and maintenance of voter files other than
24 during the 1-year period ending on the
25 date during an even-numbered calendar

1 year on which regularly scheduled general
2 elections for Federal office occur; and

3 “(xvii) any payment for any other ac-
4 tivity which is solely for the purpose of in-
5 fluencing, and which solely affects, an elec-
6 tion for non-Federal office and which is
7 not an activity described in section 324(b)
8 (without regard to paragraph (6)(B)) or
9 section 324(c)(1).”.

10 (c) LIMITATION APPLIED AT NATIONAL LEVEL; PER-
11 MITTING COMMITTEES TO MATCH INDEPENDENT EX-
12 PENDITURES MADE ON OPPONENT’S BEHALF.—Section
13 315(d) of such Act (2 U.S.C. 441a(d)) is amended—

14 (1) in paragraph (3), by striking “The national
15 committee” and inserting “Subject to paragraph (4),
16 the national committee”; and

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

19 “(4)(A) Notwithstanding paragraph (3), the applica-
20 ble congressional campaign committee of a political party
21 shall make the expenditures described in such paragraph
22 which are authorized to be made by a national or State
23 committee with respect to a candidate in any State unless
24 it allocates all or a portion of such expenditures to either
25 or both of such committees.

1 “(B) For purposes of paragraph (3), in determining
2 the amount of expenditures of a national or State commit-
3 tee of a political party in connection with the general elec-
4 tion campaign of a candidate for election to the office of
5 Representative, Delegate, or Resident Commissioner,
6 there shall be excluded an amount equal to the total
7 amount of independent expenditures made during the
8 campaign on behalf of candidates opposing the can-
9 didate.”.

10 (d) LIMITATIONS APPLY FOR ENTIRE ELECTION
11 CYCLE.—Section 315(d)(1) of such Act (2 U.S.C.
12 441a(d)(1)) is amended by adding at the end the following
13 new sentence: “Each limitation under the following para-
14 graphs shall apply to the entire election cycle for an of-
15 fice.”.

16 **SEC. 306. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
17 **AND OFFICEHOLDERS.**

18 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
19 of the Federal Election Campaign Act of 1971 (2 U.S.C.
20 441a), as amended by section 122, is further amended by
21 adding at the end the following new subsection:

22 “(j) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
23 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
24 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
25 Act, a candidate for Federal office, an individual holding

1 Federal office, or any agent of the candidate or individual
2 may not solicit funds to, or receive funds on behalf of,
3 any Federal or non-Federal candidate or political commit-
4 tee—

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

9 “(B) which are to be expended in connection
10 with any election for other than Federal office unless
11 such funds are not in excess of amounts permitted
12 with respect to Federal candidates and political com-
13 mittees under subsections (a) (1) and (2), and are
14 not from sources prohibited by such subsections with
15 respect to elections to Federal office.

16 “(2)(A) The aggregate amount which a person de-
17 scribed in subparagraph (B) may solicit from a multican-
18 didate political committee for State committees described
19 in subsection (a)(1)(C) (including subordinate commit-
20 tees) for any calendar year shall not exceed the dollar
21 amount in effect under subsection (a)(2)(B) for the cal-
22 endar year.

23 “(B) A person is described in this subparagraph if
24 such person is a candidate for Federal office, an individual
25 holding Federal office, an agent of such a candidate or

1 individual, or any national, State, district, or local commit-
2 tee of a political party (including a subordinate committee)
3 and any agent of such a committee.

4 “(3) The appearance or participation by a candidate
5 for Federal office or individual holding Federal office in
6 any fundraising event conducted by a committee of a polit-
7 ical party or a candidate for other than Federal office shall
8 not be treated as a solicitation for purposes of paragraph
9 (1) if such candidate or individual does not solicit or re-
10 ceive, or make disbursements from, any funds resulting
11 from such activity.

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

16 “(5) 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.”.

23 (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of
24 such Act (2 U.S.C. 441a), as amended by section 122 and

1 subsection (a), is further amended by adding at the end
2 the following new subsection:

3 “(k) TAX-EXEMPT ORGANIZATIONS.—(1) If an indi-
4 vidual is a candidate for, or holds, Federal office during
5 any period, such individual may not during such period
6 solicit contributions to, or on behalf of, any organization
7 which is described in section 501(c) of the Internal Reve-
8 nue Code of 1986 if—

9 “(A) the organization is established, main-
10 tained, or controlled by such individual; and

11 “(B) a significant portion of the activities of
12 such organization include voter registration or get-
13 out-the-vote campaigns.

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

17 “(A) holds a Federal office; or

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

21 **SEC. 307. REPORTING REQUIREMENTS.**

22 (a) REPORTING REQUIREMENTS.—Section 304 of the
23 Federal Election Campaign Act of 1971 (2 U.S.C. 434)
24 is amended by adding at the end the following new sub-
25 section:

1 “(d) POLITICAL COMMITTEES.—(1) The national
2 committee of a political party and any congressional cam-
3 paign committee of a political party, and any subordinate
4 committee of either, shall report all receipts and disburse-
5 ments during the reporting period, whether or not in con-
6 nection with an election for Federal office.

7 “(2) A State, district, or local committee of a political
8 party to which section 324 applies shall report all receipts
9 and disbursements for the reporting period, including sep-
10 arate schedules for receipts and disbursements for State
11 Grassroots Funds.

12 “(3) Any political committee shall include in its re-
13 port under paragraph (1) or (2) the amount of any trans-
14 fer described in section 324(d)(2) and shall itemize such
15 amounts to the extent required by section 304(b)(3)(A).

16 “(4) The Commission may prescribe regulations to
17 require any political committee to which paragraph (1) or
18 (2) does not apply to report any receipts or disbursements
19 used in connection with a Federal election, including those
20 which are also used, directly or indirectly, to affect a State
21 or local election.

22 “(5) If a political committee has receipts or disburse-
23 ments to which this subsection applies from any person
24 aggregating in excess of \$200 for any calendar year, the
25 political committee shall separately itemize its reporting

1 for such person in the same manner as subsection (b)
2 (3)(A), (5), or (6).

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

6 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
7 301(8) of such Act (2 U.S.C. 431(8)) is amended by in-
8 serting at the end the following new subparagraph:

9 “(C) The exclusion provided in clause (viii) of sub-
10 paragraph (B) shall not apply for purposes of any require-
11 ment to report contributions under this Act, and all such
12 contributions aggregating in excess of \$200 (and disburse-
13 ments therefrom) shall be reported.”.

14 (c) REPORTS BY STATE COMMITTEES.—Section 304
15 of such Act (2 U.S.C. 434), as amended by subsection (a),
16 is further amended by adding at the end the following new
17 subsection:

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

24 (d) OTHER REPORTING REQUIREMENTS.—

1 (1) AUTHORIZED COMMITTEES.—Section
2 304(b)(4) of such Act (2 U.S.C. 434(b)(4)) is
3 amended—

4 (A) by striking “and” at the end of sub-
5 paragraph (H);

6 (B) by adding “and” at the end of sub-
7 paragraph (I); and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(J) in the case of an authorized commit-
11 tee, disbursements for the primary election, the
12 general election, and any other election in which
13 the candidate participates;”.

14 (2) NAMES AND ADDRESSES.—Section
15 304(b)(5)(A) of such Act (2 U.S.C. 434(b)(5)(A)) is
16 amended—

17 (A) by striking “within the calendar year”,
18 and

19 (B) by inserting “, and the election to
20 which the operating expenditure relates” after
21 “operating expenditure”.

1 **TITLE IV—CONTRIBUTIONS**

2 **SEC. 401. RESTRICTIONS ON BUNDLING.**

3 Section 315(a)(8) of the Federal Election Campaign
4 Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read
5 as follows:

6 “(8)(A) No person, either directly or indirectly, may
7 act as a conduit or intermediary for any contribution to
8 a candidate.

9 “(B)(i) Nothing in this section shall prohibit—

10 “(I) joint fundraising conducted in accordance
11 with rules prescribed by the Commission by 2 or
12 more candidates; or

13 “(II) fundraising for the benefit of a candidate
14 that is conducted by another candidate.

15 “(ii) No other person may conduct or otherwise par-
16 ticipate in joint fundraising activities with or on behalf
17 of any candidate.

18 “(C) The term ‘conduit or intermediary’ means a per-
19 son who transmits a contribution to a candidate or can-
20 didate’s committee or representative from another person,
21 except that—

22 “(i) a House of Representatives candidate or
23 representative of a House of Representatives can-
24 didate is not a conduit or intermediary for the pur-
25 pose of transmitting contributions to the candidate’s

1 principal campaign committee or authorized commit-
2 tee;

3 “(ii) a professional fundraiser is not a conduit
4 or intermediary, if the fundraiser is compensated for
5 fundraising services at the usual and customary
6 rate;

7 “(iii) a volunteer hosting a fundraising event at
8 the volunteer’s home, in accordance with section
9 301(8)(b), is not a conduit or intermediary for the
10 purposes of that event; and

11 “(iv) an individual is not a conduit or
12 intermediary for the purpose of transmitting a con-
13 tribution from the individual’s spouse.

14 For purposes of this section a conduit or intermediary
15 transmits a contribution when receiving or otherwise tak-
16 ing possession of the contribution and forwarding it di-
17 rectly to the candidate or the candidate’s committee or
18 representative.

19 “(D) For purposes of this section, the term ‘rep-
20 resentative’—

21 “(i) shall mean a person who is expressly au-
22 thorized by the candidate to engage in fundraising,
23 and who, in the case of an individual, is not acting
24 as an officer, employee, or agent of any other per-
25 son;

1 “(ii) shall not include—

2 “(I) a political committee with a connected
3 organization;

4 “(II) a political party;

5 “(III) a partnership or sole proprietorship;

6 “(IV) an organization prohibited from
7 making contributions under section 316; or

8 “(V) a person required to register under
9 the Lobbying Disclosure Act of 1995 (2 U.S.C.
10 1601 et seq.).

11 “(E) For purposes of this section, the term ‘acting
12 as an officer, employee, or agent of any other person’ in-
13 cludes the following activities by a salaried officer, em-
14 ployee, or paid agent of a person described in subpara-
15 graph (D)(ii)(IV):

16 “(i) Soliciting contributions to a particular can-
17 didate in the name of, or by using the name of, such
18 a person.

19 “(ii) Soliciting contributions to a particular
20 candidate using other than the incidental resources
21 of such a person.

22 “(iii) Soliciting contributions to a particular
23 candidate under the direction or control of other sal-
24 aried officers, employees, or paid agents of such a
25 person.

1 For purposes of this subparagraph, the term ‘agent’ shall
2 include any person (other than individual members of an
3 organization described in subparagraph (b)(4)(C) of sec-
4 tion 316) acting on authority or under the direction of
5 such organization.”.

6 **SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
7 **ING AGE.**

8 Section 315 of the Federal Election Campaign Act
9 of 1971 (2 U.S.C. 441a), as amended by sections 122 and
10 306, is further amended by adding at the end the following
11 new subsection:

12 “(l) For purposes of this section, any contribution by
13 an individual who—

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

15 “(2) has not, as of the time of such contribu-
16 tion, attained the legal age for voting for elections
17 to Federal office in the State in which such individ-
18 ual resides,

19 shall be treated as having been made by such other indi-
20 vidual. If such individual is the dependent of another indi-
21 vidual and such other individual’s spouse, the contribution
22 shall be allocated among such individuals in the manner
23 determined by them.”.

1 **SEC. 403. PROHIBITION OF ACCEPTANCE BY A CANDIDATE**
2 **OF CASH CONTRIBUTIONS FROM ANY ONE**
3 **PERSON AGGREGATING MORE THAN \$100.**

4 Section 321 of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 441g) is amended by inserting “, and
6 no candidate or authorized committee of a candidate shall
7 accept from any one person,” after “make”.

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

11 Section 315(a) of the Federal Election Campaign Act
12 of 1971 (2 U.S.C. 441a(a)), as amended by section 121,
13 is further amended by adding at the end the following new
14 paragraph:

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

23 **SEC. 405. PROHIBITION OF FALSE REPRESENTATION TO**
24 **SOLICIT CONTRIBUTIONS.**

25 Section 322 of the Federal Election Campaign Act
26 of 1971 (2 U.S.C. 441h) is amended—

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

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

4 “(b) No person shall solicit contributions by falsely
5 representing himself or herself as a candidate or as a rep-
6 resentative of a candidate, a political committee, or a polit-
7 ical party.”.

8 **SEC. 406. LIMITED EXCLUSION OF ADVANCES BY CAM-**
9 **PAIGN WORKERS FROM THE DEFINITION OF**
10 **THE TERM “CONTRIBUTION”.**

11 Section 301(8)(B) of the Federal Election Campaign
12 Act of 1971 (2 U.S.C. 431(8)(B)), as amended by section
13 305, is amended—

14 (1) in clause (xix), by striking “and” after the
15 semicolon at the end;

16 (2) in clause (xx), by striking the period at the
17 end and inserting: “; and”; and

18 (3) by adding at the end the following new
19 clause:

20 “(xxi) any advance voluntarily made on behalf
21 of an authorized committee of a candidate by an in-
22 dividual in the normal course of such individual’s re-
23 sponsibilities as a volunteer for, or employee of, the
24 committee, if the advance is reimbursed by the com-
25 mittee within 10 days after the date on which the

1 advance is made, and the value of advances on be-
2 half of a committee does not exceed \$500 with re-
3 spect to an election.”.

4 **SEC. 407. AMENDMENT TO SECTION 316 OF THE FEDERAL**
5 **ELECTION CAMPAIGN ACT OF 1971.**

6 Section 316(b)(2) of the Federal Election Campaign
7 Act of 1971 (2 U.S.C. 441b(b)(2)) is amended—

8 (1) by striking “(2) For” and inserting “(2)(A)
9 Except as provided in subparagraph (B), for”;

10 (2) by redesignating subparagraphs (A), (B),
11 and (C) as clauses (i), (ii), and (iii), respectively;
12 and

13 (3) by adding at the end the following:

14 “(B) Payments by a corporation or labor organization
15 for candidate debates, voter guides, or voting records di-
16 rected to the general public shall be considered contribu-
17 tions unless—

18 “(i) in the case of a candidate debate, the orga-
19 nization staging the debate is either an organization
20 described in section 301 (9)(B)(i) whose broadcasts,
21 cablecasts, or publications are supported by commer-
22 cial advertising, subscriptions, or sales to the public,
23 including a noncommercial educational broadcaster,
24 or a nonprofit organization exempt from Federal
25 taxation under section 501(c)(3) or 501(c)(4) of the

1 Internal Revenue Code of 1986 that does not en-
2 dorse, support, or oppose candidates or political par-
3 ties, and any such debate features at least 2 can-
4 didates competing for election to that office;

5 “(ii) in the case of a voter guide, the guide is
6 prepared and distributed by a corporation or labor
7 organization and consists of questions posed to at
8 least two candidates for election to that office; and

9 “(iii) in the case of a voting record, the record
10 is prepared and distributed by a corporation or labor
11 organization at the end of a session of Congress and
12 consists solely of votes by all Members of Congress
13 in that session on one or more issues;

14 except that such payments shall be treated as contribu-
15 tions if any communication made by a corporation or labor
16 organization in connection with the candidate debate,
17 voter guide, or voting record contains express advocacy,
18 or any structure or format of the candidate debate, voter
19 guide, or voting record, or any preparation or distribution
20 of any such guide or record, reflects a purpose of influenc-
21 ing the election of a particular candidate.”.

1 **SEC. 408. PROHIBITION OF CERTAIN ELECTION-RELATED**
2 **ACTIVITIES OF FOREIGN NATIONALS.**

3 Section 319 of the Federal Election Campaign Act
4 of 1971 (2 U.S.C. 441e) is amended by adding at the end
5 the following new subsection:

6 “(c) A foreign national shall not directly or indirectly
7 direct, control, influence, or participate in any person’s
8 election-related activities, such as the making of contribu-
9 tions or expenditures in connection with elections for any
10 local, State, or Federal office or the administration of a
11 political committee.”.

12 **TITLE V—REPORTING**
13 **REQUIREMENTS**

14 **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-**
15 **ENDAR YEAR BASIS TO AN ELECTION CYCLE**
16 **BASIS.**

17 Paragraphs (2), (3), (4), (6), and (7) of section
18 304(b) of the Federal Election Campaign Act of 1971 (2
19 U.S.C. 434(b) (2)–(7)) are each amended by inserting
20 “(election cycle, in the case of an authorized committee
21 of a candidate for Federal office)” after “calendar year”
22 each place it appears.

23 **SEC. 502. DISCLOSURE OF PERSONAL AND CONSULTING**
24 **SERVICES.**

25 (a) **REPORTING BY POLITICAL COMMITTEES.**—Sec-
26 tion 304(b)(5)(A) of the Federal Election Campaign Act

1 of 1971 (2 U.S.C. 434(b)(5)(A)) is amended by adding
2 before the semicolon at the end the following: “, except
3 that if a person to whom an expenditure is made by a
4 candidate or the candidate’s authorized committees is
5 merely providing personal or consulting services and is in
6 turn making expenditures to other persons (not including
7 its owners or employees) who provide goods or services to
8 the candidate or the candidate’s authorized committees,
9 the name and address of such other person, together with
10 the date, amount and purpose of such expenditure shall
11 also be disclosed”.

12 (b) RECORDKEEPING AND REPORTING BY PERSONS
13 TO WHOM EXPENDITURES ARE PASSED THROUGH.—Sec-
14 tion 302 of such Act (2 U.S.C. 432) is amended by adding
15 at the end the following new subsection:

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

1 **SEC. 503. POLITICAL COMMITTEES OTHER THAN CAN-**
2 **DIDATE COMMITTEES.**

3 Section 303(b) of the Federal Election Campaign Act
4 of 1971 (2 U.S.C. 433(b)) is amended—

5 (1) in paragraph (2), by inserting “, and if the
6 organization or committee is incorporated, the State
7 of incorporation” after “committee”; and

8 (2) by striking the “name and address of the
9 treasurer” in paragraph (4) and inserting “the
10 names and addresses of any officers (including the
11 treasurer)”.

12 **SEC. 504. USE OF CANDIDATES’ NAMES.**

13 Section 302(e)(4) of the Federal Election Campaign
14 Act of 1971 (2 U.S.C. 432(e)(4)) is amended to read as
15 follows:

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

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

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

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

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

4 **SEC. 505. REPORTING REQUIREMENTS.**

5 (a) FILING ON THE 20TH DAY OF A MONTH.—Sec-
6 tion 304(a) of the Federal Election Campaign Act of 1971
7 (2 U.S.C. 434(a)) is amended—

8 (1) in paragraph (2)(A)(iii), by striking “15th”
9 and inserting “20th”;

10 (2) in paragraph (3)(B)(ii), by striking “15th”
11 and inserting “20th”;

12 (3) in paragraph (4)(A)(i), by striking “15th”
13 and inserting “20th”; and

14 (4) in paragraph (8), by striking “15th” and
15 inserting “20th”.

16 (b) OPTION TO FILE MONTHLY REPORTS.—Section
17 304(a)(2) of such Act (2 U.S.C. 434(a)(2)) is amended—

18 (1) in subparagraph (A), by striking “and” at
19 the end;

20 (2) in subparagraph (B), by striking the period
21 at the end and inserting “; and”; and

22 (3) by inserting the following new subparagraph
23 at the end:

24 “(C) in lieu of the reports required by subpara-
25 graphs (A) and (B), the treasurer may file monthly

1 reports in all calendar years, which shall be filed no
2 later than the 20th day after the last day of the
3 month and shall be complete as of the last day of
4 the month, except that, in lieu of filing the reports
5 otherwise due in November and December of any
6 year in which a regularly scheduled general election
7 is held, a pre-primary election report and a pre-gen-
8 eral election report shall be filed in accordance with
9 subparagraph (A)(i), a post-general election report
10 shall be filed in accordance with subparagraph
11 (A)(ii), and a year end report shall be filed no later
12 than January 31 of the following calendar year.”.

13 (c) POLITICAL COMMITTEES.—Section 304(a)(4) of
14 such Act (2 U.S.C. 434(a)(4)) is amended in subpara-
15 graph (A)(i) by inserting “, and except that if at any time
16 during the election year a committee receives contributions
17 in excess of \$100,000 (\$10,000 in the case of a multican-
18 didate political committee), or makes disbursements in ex-
19 cess of \$100,000 (\$10,000 in the case of a multicandidate
20 political committee), monthly reports on the 20th day of
21 each month after the month in which that amount of con-
22 tributions is first received or that amount of disburse-
23 ments is first anticipated to be made during that year”
24 before the semicolon.

1 (d) INCOMPLETE OR FALSE CONTRIBUTOR INFORMA-
2 TION.—Section 302(i) of such Act (2 U.S.C. 432(i)) is
3 amended—

4 (1) by inserting “(1)” after “(i)”;

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

7 (3) by adding at the end the following new
8 paragraph:

9 “(2) A treasurer shall be considered to have used best
10 efforts under this section only if—

11 “(A) all written solicitations include a clear and
12 conspicuous request for the contributor’s identifica-
13 tion and inform the contributor of the committee’s
14 obligation to report the identification in a statement
15 prescribed by the Commission;

16 “(B) the treasurer makes at least 1 additional
17 request for the contributor’s identification for each
18 contribution received that aggregates in excess of
19 \$200 per calendar year and which does not contain
20 all of the information required by this Act; and

21 “(C) the treasurer reports all information in the
22 committee’s possession regarding contributor identi-
23 fications.”.

1 (e) WAIVER.—Section 304 of such Act (2 U.S.C.
2 434), as amended by section 307, is further amended by
3 adding at the end the following new subsection:

4 “(f) WAIVER.—The Commission may relieve any cat-
5 egory of political committees of the obligation to file 1 or
6 more reports required by this section, or may change the
7 due dates of such reports, if it determines that such action
8 is consistent with the purposes of this Act. The Commis-
9 sion may waive requirements to file reports in accordance
10 with this subsection through a rule of general applicability
11 or, in a specific case, may waive or extend the due date
12 of a report by notifying all political committees affected.”.

13 **SEC. 506. SIMULTANEOUS REGISTRATION OF CANDIDATE**
14 **AND CANDIDATE’S PRINCIPAL CAMPAIGN**
15 **COMMITTEE.**

16 Section 303(a) of the Federal Election Campaign Act
17 of 1971 (2 U.S.C. 433(a)) is amended in the first sentence
18 by striking “no later than 10 days after designation” and
19 inserting “on the date of its designation”.

20 **SEC. 507. REPORTING ON GENERAL CAMPAIGN ACTIVITIES**
21 **OF PERSONS OTHER THAN POLITICAL PAR-**
22 **TIES.**

23 (a) REPORTING REQUIREMENT.—Section 304 of the
24 Federal Election Campaign Act of 1971 (2 U.S.C. 434),

1 as amended by sections 307 and 505, is further amended
2 by adding at the end the following new subsection:

3 “(g) CERTAIN COMMUNICATIONS BY CORPORATIONS
4 AND LABOR ORGANIZATIONS.—(1) Any person making
5 disbursements to pay the cost of applicable communication
6 activities aggregating \$5,000 or more with respect to a
7 candidate in an election after the 20th day, but more than
8 24 hours, before the election shall file a report of such
9 disbursements within 24 hours after such disbursements
10 are made.

11 “(2) Any person making disbursements to pay the
12 cost of applicable communications activities aggregating
13 \$5,000 or more with respect to a candidate in an election
14 at any time up to and including the 20th day before the
15 election shall file a report within 48 hours after such dis-
16 bursements are made.

17 “(3) Any person required to file a report under para-
18 graph (1) or (2) which also makes disbursements to pay
19 the cost directly attributable to a get-out-the-vote cam-
20 paign described in section 316(b)(2)(B) aggregating
21 \$25,000 or more with respect to an election shall file a
22 report within 48 hours after such disbursements are made.

23 “(4) An additional report shall be filed each time ad-
24 ditional disbursements described in paragraph (1), (2), or
25 (3), whichever is applicable, aggregating \$10,000 are

1 made with respect to the same candidate in the same elec-
2 tion as the initial report filed under this subsection. Each
3 such report shall be filed within 48 hours after the dis-
4 bursements are made.

5 “(5) For purposes of this subsection, the term ‘appli-
6 cable communication activities’ means activities which are
7 covered by the exception to section 301(9)(B)(iii).

8 “(6) Any statement under this subsection—

9 “(A) shall be filed in the case of—

10 “(i) disbursements relating to candidates
11 for the House of Representatives, with the
12 Clerk of the House of Representatives and the
13 Secretary of State of the State involved, and

14 “(ii) any other disbursements, with the
15 Commission, and

16 “(B) shall contain such information as the
17 Commission shall prescribe.”

18 (b) CONFORMING AMENDMENT.—Section 301(9)(B)
19 of such Act (2 U.S.C. 431(9)(B)) is amended by inserting
20 “and shall, if such costs exceeds the amount described in
21 paragraph (1), (2), or (4) of section 304(g), be reported
22 in the manner provided in section 304(g)” before the semi-
23 colon at the end of clause (iii).

1 **TITLE VI—BROADCAST RATES**
2 **AND CAMPAIGN ADVERTISING**

3 **SEC. 601. BROADCAST RATES AND CAMPAIGN ADVERTIS-**
4 **ING.**

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

7 (1) by amending subsection (b) to read as fol-
8 lows:

9 “(b)(1) Except as provided in paragraph (2), the
10 charges made for the use of a broadcasting station by a
11 person who is a legally qualified candidate for public office
12 in connection with the person’s campaign for nomination
13 for election, or election, to public office shall not exceed
14 the charges made for comparable use of such station by
15 other users thereof.

16 “(2) In the case of an eligible House of Representa-
17 tives candidate, during the 30 days preceding the date of
18 the primary or primary runoff election and during the 60
19 days preceding the date of a general or special election
20 in which the person is a candidate, the charges made for
21 the use of a broadcasting station by the candidate shall
22 not exceed 50 percent of the lowest unit charge of the sta-
23 tion for the same class and amount of time for the same
24 period.”;

1 (2) by redesignating subsections (c) and (d) as
2 subsections (f) and (g), respectively;

3 (3) by inserting after subsection (b) the follow-
4 ing new subsections:

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

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

16 “(d) If any person makes an independent expenditure
17 through a communication on a broadcasting station that
18 expressly advocates the defeat of an eligible House of Rep-
19 resentatives candidate, or the election of an eligible House
20 of Representatives candidate (regardless of whether such
21 opponent is an eligible candidate), the licensee, as applica-
22 ble, shall, not later than 5 business days after the date
23 on which the communication is made (or not later than

1 24 hours after the communication is made if the commu-
2 nication occurs not more than 2 weeks before the date of
3 the election), transmit to the candidate—

4 “(1) a statement of the date and time on which
5 the communication was made;

6 “(2) a script or tape recording of the commu-
7 nication, or an accurate summary of the communica-
8 tion if a script or tape recording is not available;
9 and

10 “(3) an offer of an equal opportunity for the
11 candidate to use the broadcasting station to respond
12 to the communication without having to pay for the
13 use in advance.

14 “(e) A licensee that endorses a candidate for Federal
15 office in an editorial shall, within the time period stated
16 in subsection (d), provide to all other candidates for elec-
17 tion to the same office—

18 “(1) a statement of the date and time of the
19 communication;

20 “(2) a script or tape recording of the commu-
21 nication, or an accurate summary of the communica-
22 tion if a script or tape recording is not available;
23 and

24 “(3) an offer of an equal opportunity for the
25 candidate or spokesperson for the candidate to use

1 the broadcasting station to respond to the commu-
2 nication.”; and

3 (4) in subsection (f), as redesignated by para-
4 graph (2)—

5 (A) by striking “and” at the end of para-
6 graph (1);

7 (B) by striking the period at the end of
8 paragraph (2) and inserting “; and”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(3) the terms ‘eligible House of Representa-
12 tives candidate’ and ‘independent expenditure’ have
13 the meanings stated in section 301 of the Federal
14 Election Campaign Act of 1971.”.

15 (b) REVOCATION OF LICENSE FOR FAILURE TO PER-
16 MIT ACCESS.—Section 312(a)(7) of such Act (47 U.S.C.
17 312(a)(7)) is amended—

18 (1) by striking “or repeated”;

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

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

1 (c) MEETING REQUIREMENTS FOR RATES AS CONDI-
2 TION OF GRANTING OR RENEWAL OF LICENSE.—Section
3 307 of such Act (47 U.S.C. 307) is amended by adding
4 at the end the following new subsection:

5 “(f) The continuation of an existing license, the re-
6 newal of an expiring license, and the issuance of a new
7 license shall be expressly conditioned on the agreement by
8 the licensee or the applicant to meet the requirements of
9 section 315(b), except that the Commission may waive this
10 condition in the case of a licensee or applicant who dem-
11 onstrates (in accordance with such criteria as the Commis-
12 sion may establish in consultation with the Federal Elec-
13 tion Commission) that meeting such requirements will im-
14 pose a significant financial hardship.”.

15 **SEC. 602. CAMPAIGN ADVERTISING AMENDMENTS.**

16 Section 318 of the Federal Election Campaign Act
17 of 1971 (2 U.S.C. 441d) is amended—

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

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

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

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

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

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

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

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

17 “(3) consist of a reasonable degree of color con-
18 trast between the background and the printed state-
19 ment.

20 “(d)(1) Any communication described in subsection
21 (a)(1) or (a)(2) that is provided to and distributed by any
22 broadcasting station or cable system (as such terms are
23 defined in sections 315 and 602, respectively, of the Fed-
24 eral Communications Act of 1934) shall include, in addi-
25 tion to the requirements of subsections (a)(1) and (a)(2),

1 an audio statement by the candidate that identifies the
2 candidate and states that the candidate has approved the
3 communication.

4 “(2) If a communication described in paragraph (1)
5 contains any visual images, the communication shall in-
6 clude a written statement which contains the same infor-
7 mation as the audio statement and which—

8 “(A) appears at the end of the communication
9 in a clearly readable manner with a reasonable de-
10 gree of color contrast between the background and
11 the printed statement, for a period of at least 4 sec-
12 onds; and

13 “(B) is accompanied by a clearly identifiable
14 photographic or similar image of the candidate.

15 “(e)(1) Any communication described in subsection
16 (a)(3) that is provided to and distributed by any broad-
17 casting station or cable system described in subsection
18 (d)(1) shall include, in addition to the requirements of
19 that subsection, in a clearly spoken manner, the following
20 statement: ‘ _____ is responsible for the content
21 of this advertisement.’; with the blank to be filled in with
22 the name of the political committee or other person paying
23 for the communication and the name of any connected or-
24 ganization of the payor.

1 section 301 of the Federal Election Campaign Act of
2 1971.”.

3 **TITLE VII—MISCELLANEOUS**

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

5 Section 302(e) of the Federal Election Campaign Act
6 of 1971 (2 U.S.C. 432(e)) is amended—

7 (1) by amending paragraph (3) to read as fol-
8 lows:

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

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

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

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

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

14 “(B) For 2 years after the effective date of this para-
15 graph, any political committee established before such
16 date but which is prohibited under subparagraph (A) may
17 continue to make contributions. At the end of that period
18 such political committee shall disburse all funds by one
19 or more of the following means: making contributions to
20 an entity qualified under section 501(c)(3) of the Internal
21 Revenue Code of 1986; making a contribution to the treas-
22 ury of the United States; contributing to the national,
23 State or local committees of a political party; or making
24 contributions not to exceed \$1,000 to candidates for elec-
25 tive office.”.

1 **SEC. 702. APPEARANCE BY FEDERAL ELECTION COMMIS-**
2 **SION AS AMICI CURIAE.**

3 Section 306(f) of the Federal Election Campaign Act
4 of 1971 (2 U.S.C. 437c(f)) is amended by striking out
5 paragraph (4) and inserting in lieu thereof the following
6 new paragraph:

7 “(4)(A) Notwithstanding the provisions of paragraph
8 (2), or of any other provision of law, the Commission is
9 authorized to appear on its own behalf in any action relat-
10 ed to the exercise of its statutory duties or powers in any
11 court as either a party or as amicus curiae, either—

12 “(i) by attorneys employed in its office, or

13 “(ii) by counsel whom it may appoint, on a
14 temporary basis as may be necessary for such pur-
15 pose, without regard to the provisions of title 5,
16 United States Code, governing appointments in the
17 competitive service, and whose compensation it may
18 fix without regard to the provisions of chapter 51
19 and subchapter III of chapter 53 of such title. The
20 compensation of counsel so appointed on a tem-
21 porary basis shall be paid out of any funds otherwise
22 available to pay the compensation of employees of
23 the Commission.

24 “(B) The authority granted under subparagraph (A)
25 includes the power to appeal from, and petition the Su-
26 preme Court for certiorari to review, judgments or decrees

1 entered with respect to actions in which the Commission
2 appears pursuant to the authority provided in this sec-
3 tion.”.

4 **SEC. 703. PROHIBITING SOLICITATION OF CONTRIBUTIONS**
5 **BY MEMBERS IN HALL OF THE HOUSE OF**
6 **REPRESENTATIVES.**

7 (a) IN GENERAL.—A Member of the House of Rep-
8 resentatives may not solicit or accept campaign contribu-
9 tions in the Hall of the House of Representatives, rooms
10 leading thereto, or the cloakrooms.

11 (b) DEFINITION.—In subsection (a), the term “Mem-
12 ber of the House of Representatives” means a Representa-
13 tive in, or a Delegate or Resident Commissioner to, Con-
14 gress.

15 (c) EXERCISE OF RULEMAKING AUTHORITY.—This
16 section is enacted by Congress—

17 (1) as an exercise of the rulemaking power of
18 the House of Representatives, and as such this sec-
19 tion is deemed a part of the rules of the House of
20 Representatives and supersedes other rules only to
21 the extent inconsistent therewith; and

22 (2) with full recognition of the constitutional
23 right of the House of Representatives to change the
24 rule at any time, in the same manner and to the

1 same extent as in the case of any other rule of the
2 House of Representatives.

3 **TITLE VIII—EFFECTIVE DATES;**
4 **AUTHORIZATIONS**

5 **SEC. 801. EFFECTIVE DATE.**

6 Except as otherwise provided in this Act, the amend-
7 ments made by, and the provisions of, this Act shall take
8 effect on the date of the enactment of this Act, but shall
9 not apply with respect to activities in connection with any
10 election occurring before January 1, 1999.

11 **SEC. 802. SEVERABILITY.**

12 (a) **IN GENERAL.**—Except as otherwise provided in
13 this section, if any provision of this Act (including any
14 amendment made by this Act), or the application of any
15 such provision to any person or circumstance, is held in-
16 valid, the validity of any other provision of this Act, or
17 the application of such provision to other persons and cir-
18 cumstances, shall not be affected thereby.

19 (b) **EXCEPTIONS.**—If any provision of subtitle A of
20 title V of the Federal Election Campaign Act of 1971 (as
21 added by title I) is held to be invalid, all provisions of
22 such subtitle, and the amendment made by section 122,
23 shall be treated as invalid.

1 **SEC. 803. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

2 (a) **DIRECT APPEAL TO SUPREME COURT.**—An ap-
3 peal may be taken directly to the Supreme Court of the
4 United States from any final judgment, decree, or order
5 issued by any court finding any provision of this Act or
6 amendment made by this Act to be unconstitutional.

7 (b) **ACCEPTANCE AND EXPEDITION.**—The Supreme
8 Court shall, if it has not previously ruled on the question
9 addressed in the ruling below, accept jurisdiction over, ad-
10 vance on the docket, and expedite the appeal to the great-
11 est extent possible.

12 **SEC. 804. REGULATIONS.**

13 The Federal Election Commission shall prescribe any
14 regulations required to carry out the provisions of this Act
15 within 12 months after the effective date of this Act.

○