

106TH CONGRESS
1ST SESSION

S. 1107

To reform the conduct of Federal elections.

IN THE SENATE OF THE UNITED STATES

MAY 24, 1999

Mr. WARNER introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To reform the conduct of Federal elections.

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 “Constitutional and Effective Reform of Campaigns Act
6 of 1999”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Effective date.

TITLE I—ENHANCEMENT OF CITIZEN INVOLVEMENT

- Sec. 101. Prohibition of contributions and donations by foreign nationals and other individuals not eligible to register to vote; additional restrictions on foreign nationals.

- Sec. 102. Update of individual contribution limit and indexing of limits.
- Sec. 103. Encouraging small contributions to local congressional candidates.

TITLE II—LEVELING THE PLAYING FIELD FOR CANDIDATES

- Sec. 201. Seed money to encourage new candidates and competitive campaigns.
- Sec. 202. Modification of contribution limits in response to expenditures from personal funds.
- Sec. 203. Limit on Senate use of the franking privilege.

TITLE III—VOLUNTARINESS OF POLITICAL CONTRIBUTIONS

- Sec. 301. Consent for use of dues and fees of labor organizations.
- Sec. 302. Corporate shareholder notification.

TITLE IV—ELIMINATION OF ELECTION CAMPAIGN EXCESSES

- Sec. 401. Prohibition of fundraising on Federal property and other criminal prohibitions.
- Sec. 402. Deposit of certain contributions and donations in Treasury account.
- Sec. 403. National political party committees; “soft” and “hard” money.
- Sec. 404. Prohibition of conversion of campaign funds to personal use.

TITLE V—ENHANCED DISCLOSURE

- Sec. 501. Reporting requirements for candidates.
- Sec. 502. Access to information on the Internet.
- Sec. 503. Reporting requirements for independent expenditures within 20 days before an election.
- Sec. 504. Required lobbyist disclosure of contributions and donations.

TITLE VI—FEDERAL ELECTION COMMISSION REFORM

- Sec. 601. Filing of reports using computers and facsimile machines.
- Sec. 602. Term limits for Federal Election Commission.
- Sec. 603. Increase in penalty for knowing and willful violations.
- Sec. 604. Civil penalties for minor reporting violations.
- Sec. 605. Oral arguments; index of actions.
- Sec. 606. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 607. Confirmation of general counsel and executive director.

TITLE VII—IMPROVEMENTS TO THE NATIONAL VOTER REGISTRATION ACT

- Sec. 701. Repeal of requirement for States to provide for voter registration by mail.
- Sec. 702. Requiring applicants registering to vote to provide certain additional information.
- Sec. 703. Removal of certain registrants from official list of eligible voters.
- Sec. 704. Permitting State to require voters to produce additional information prior to voting.
- Sec. 705. Repeal of requirement that States permit registrants changing residence to vote at polling place for former address.

1 **SEC. 2. EFFECTIVE DATE.**

2 Except as otherwise provided in this Act, the amend-
 3 ments made by, and the provisions of, this Act shall take
 4 effect on January 1, 2001.

5 **TITLE I—ENHANCEMENT OF**
 6 **CITIZEN INVOLVEMENT**

7 **SEC. 101. PROHIBITION OF CONTRIBUTIONS AND DONA-**
 8 **TIONS BY FOREIGN NATIONALS AND OTHER**
 9 **INDIVIDUALS NOT ELIGIBLE TO REGISTER TO**
 10 **VOTE; ADDITIONAL RESTRICTIONS ON FOR-**
 11 **EIGN NATIONALS.**

12 (a) PROHIBITION OF CONTRIBUTIONS AND DONA-
 13 TIONS BY FOREIGN NATIONALS AND OTHER INDIVIDUALS
 14 NOT ELIGIBLE TO REGISTER TO VOTE; ADDITIONAL RE-
 15 STRICTIONS ON FOREIGN NATIONALS.—

16 (1) IN GENERAL.—Section 319(a) of the Fed-
 17 eral Election Campaign Act of 1971 (2 U.S.C.
 18 441e(a)) is amended to read as follows:

19 “(a) PROHIBITIONS.—

20 “(1) INDIVIDUALS NOT ELIGIBLE TO REGISTER
 21 TO VOTE.—

22 “(A) IN GENERAL.—Subject to subpara-
 23 graph (B), it shall be unlawful for—

24 “(i) an individual who is not eligible
 25 to register to vote in a Federal election (in-
 26 cluding a foreign national) to make a con-

1 tribution or donation or to promise ex-
2 pressly or impliedly to make a contribution
3 or donation; or

4 “(ii) any person to solicit, accept, or
5 receive a contribution or donation from an
6 individual who is not eligible to register to
7 vote in a Federal election (including a for-
8 eign national).

9 “(B) APPLICATION.—Subparagraph (A)
10 shall not apply in the case of an individual who
11 is not eligible to register to vote solely by rea-
12 son of a residency requirement under State law.

13 “(2) FOREIGN NATIONAL.—

14 “(A) PROHIBITION ON CONTRIBUTIONS
15 AND DONATIONS.—

16 “(i) IN GENERAL.—Subject to clause
17 (ii), it shall be unlawful for—

18 “(I) a foreign national, or an en-
19 tity that is a domestic subsidiary of a
20 foreign national, to make, directly or
21 through any other person, any con-
22 tribution of money or other thing of
23 value, or promise expressly or
24 impliedly to make any such contribu-
25 tion, in connection with an election to

1 any political office or in connection
2 with any primary election, convention,
3 or caucus held to select a candidate
4 for any political office or make any
5 donation, or promise expressly or
6 impliedly to make any such donation;
7 or

8 “(II) any person to solicit, ac-
9 cept, or receive any such contribution
10 or donation from a foreign national.

11 “(ii) EXCEPTION.—Clause (i) shall
12 not apply to an entity that is a domestic
13 subsidiary of a foreign national if the enti-
14 ty can demonstrate through a reasonable
15 accounting method that the entity has suf-
16 ficient funds in the entity’s account, other
17 than funds given or loaned by the foreign
18 national parent of the entity, from which
19 the contribution or donation is made.

20 “(B) INDEPENDENT EXPENDITURE.—It
21 shall be unlawful for a foreign national to make
22 an independent expenditure.

23 “(C) PROHIBITED PARTICIPATION.—A for-
24 eign national shall not direct, dictate, control,
25 or directly or indirectly participate in the deci-

1 sion-making process of any person with regard
2 to such person’s election-related activities, in-
3 cluding decisions concerning the making of con-
4 tributions, donations, or expenditures in connec-
5 tion with elections for any local, State, or Fed-
6 eral office or decisions concerning the adminis-
7 tration of a political committee.”.

8 (2) CONFORMING AMENDMENT.—Section 319
9 of Federal Election Campaign Act of 1971 (2 U.S.C.
10 431 et seq.) is amended by striking the heading and
11 inserting “RESTRICTIONS ON FOREIGN NA-
12 TIONALS AND OTHER INDIVIDUALS NOT
13 ELIGIBLE TO REGISTER TO VOTE”.

14 (b) DEFINITION OF DONATION.—Section 301 of the
15 Federal Election Campaign Act of 1971 (2 U.S.C. 431)
16 is amended by adding at the end the following:

17 “(20) DONATION.—The term ‘donation’ means
18 a gift, subscription, loan, advance, or deposit of
19 money or anything else of value made by any person
20 to a national committee of a political party or a Sen-
21 atorial or Congressional Campaign Committee of a
22 national political party for any purpose, but does not
23 include a contribution (as defined in paragraph
24 (8)).”.

1 **SEC. 102. UPDATE OF INDIVIDUAL CONTRIBUTION LIMIT**
 2 **AND INDEXING OF LIMITS.**

3 (a) UPDATE OF INDIVIDUAL CONTRIBUTION
 4 LIMIT.—Section 315(a)(1)(A) of the Federal Election
 5 Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is
 6 amended by striking “\$1,000” and inserting “\$2,000”.

7 (b) INDEXING.—Section 315(c) of the Federal Elec-
 8 tion Campaign Act of 1971 (2 U.S.C. 441a(c)) is
 9 amended—

10 (1) in paragraph (1)—

11 (A) by striking the second and third sen-
 12 tences;

13 (B) by inserting before “At the beginning”
 14 the following: “(A)”; and

15 (C) by adding at the end the following:

16 “(B) Each limitation established by subsection (a),
 17 (b), (d), or (i) shall be increased by the percent difference
 18 determined under subparagraph (A), and the increased
 19 amount, if not a multiple of \$100, shall be rounded to
 20 the next higher multiple of \$100.

21 “(C) Each amount increased under subparagraph (B)
 22 shall remain in effect for the calendar year in which the
 23 amount is increased.

24 “(D) The Commission shall publish each year in the
 25 Federal Register any change made to a limit under this
 26 subsection.”; and

1 “(2) ADJUSTED GROSS INCOME.—No credit
2 shall be allowed under subsection (a) for a taxable
3 year if the taxpayer’s modified adjusted gross in-
4 come (as defined in section 25A(d)(3)) exceeds
5 \$60,000 (\$120,000 in the case of a joint return).

6 “(3) VERIFICATION.—The credit allowed by
7 subsection (a) shall be allowed with respect to any
8 contribution only if the contribution is verified in
9 such manner as the Secretary shall prescribe by reg-
10 ulation.

11 “(c) DEFINITION.—In this section—

12 “(1) CANDIDATE.—The term ‘candidate’ has
13 the meaning given the term in section 301 of the
14 Federal Election Campaign Act of 1971 (2 U.S.C.
15 431).

16 “(2) CONTRIBUTION.—The term ‘contribution’
17 has the meaning given the term in section 301 of the
18 Federal Election Campaign Act of 1971 (2 U.S.C.
19 431).

20 “(3) LOCAL CONGRESSIONAL CANDIDATE.—The
21 term ‘local congressional candidate’ means a can-
22 didate in a primary, general, runoff, or special elec-
23 tion seeking nomination for election to, or election to
24 the Senate or the House of Representatives for the

1 State in which the principal residence of the tax-
2 payer is located.

3 “(4) PRINCIPAL RESIDENCE.—The term ‘prin-
4 cipal residence’ has the same meaning as when used
5 in section 121.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) Section 642 of the Internal Revenue Code
8 of 1986 (relating to special rules for credits and de-
9 ductions of estates or trusts) is amended by adding
10 at the end the following:

11 “(j) CREDIT FOR CERTAIN CONTRIBUTIONS NOT AL-
12 LOWED.—An estate or trust shall not be allowed the credit
13 against tax provided by section 25B.”.

14 (2) The table of sections for subpart A of part
15 IV of subchapter A of chapter 1 of such Code is
16 amended by inserting after the item relating to sec-
17 tion 25A the following new item:

“Sec. 25B. In-State contributions to congressional candidates.”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to taxable years beginning after
20 December 31, 1999.

1 **TITLE II—LEVELING THE PLAY-**
2 **ING FIELD FOR CANDIDATES**

3 **SEC. 201. SEED MONEY TO ENCOURAGE NEW CANDIDATES**
4 **AND COMPETITIVE CAMPAIGNS.**

5 (a) IN GENERAL.—Section 315 of the Federal Elec-
6 tion Campaign Act of 1971 (2 U.S.C. 441a) is amended—

7 (1) in subsection (a)(1), by striking “No per-
8 son” and inserting “Except as provided in sub-
9 section (i), no person”;

10 (2) in subsection (a)(2), by striking “No multi-
11 candidate” and inserting “Except as provided in
12 subsection (i), no multicandidate”; and

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

14 “(i) MODIFICATION OF LIMITS.—

15 “(1) SEED MONEY.—

16 “(A) IN GENERAL.—In the case of a nomi-
17 nation for election to, or election to, the Senate
18 or House of Representatives, the limits under
19 paragraphs (1)(A) and (2)(A) of subsection (a)
20 for any calendar year shall be 4 times such
21 limit determined without regard to this section
22 until such time as the aggregate amount of con-
23 tributions accepted exceed the applicable limit
24 for a candidate.

1 “(B) CANDIDATE’S APPLICABLE LIMIT.—

2 The applicable limit under subparagraph (A)
3 shall be—

4 “(i) an amount equal to—

5 “(I) in the case of a candidate
6 for the Senate, \$300,000; and

7 “(II) in the case of a candidate
8 for the House of Representatives,
9 \$100,000,

10 reduced (but not below zero) by

11 “(ii) the aggregate amount deter-
12 mined under subsection (j)(1) that the can-
13 didate and the candidate’s authorized com-
14 mittees have available to transfer from a
15 previous election cycle to the current elec-
16 tion cycle.

17 “(C) TIME TO ACCEPT CONTRIBUTIONS
18 UNDER MODIFIED LIMIT.—A candidate and the
19 candidate’s authorized committees shall not ac-
20 cept a contribution under the modified limits of
21 this subsection until the candidate has received
22 notification of the aggregate amount under sub-
23 section (j)(2).”.

24 (b) DETERMINATION OF CONTRIBUTIONS TRANS-
25 FERRED FROM PREVIOUS ELECTION CYCLE.—Section

1 315 of the Federal Election Campaign Act of 1971 (2
2 U.S.C. 441a) (as amended by subsection (a)) is amended
3 by adding at the end the following:

4 “(j) DETERMINATION OF CONTRIBUTIONS TRANS-
5 FERRED FROM PREVIOUS ELECTION CYCLES.—

6 “(1) DETERMINATION.—For purposes of sub-
7 section (i)—

8 “(A) in the case of an individual elected to
9 the House of Representatives or the Senate,
10 after the receipt of the individual’s post-general
11 election report under section 304(a)(2)(A)(ii)
12 for the election cycle in which the individual
13 was elected, the Commission shall determine the
14 aggregate amount of contributions that is avail-
15 able to be transferred from 1 or more previous
16 election cycles to the current election cycle of
17 the candidate (regardless of whether the
18 amount has been so transferred); and

19 “(B) in the case of any other individual,
20 the amount shall be zero.

21 “(2) NOTIFICATION.—The Commission shall
22 notify the candidate of the amount that is deter-
23 mined under paragraph (1).

24 “(3) ADJUSTMENT.—On receipt of notification
25 under paragraph (2), the limits under paragraphs

1 (1)(B) and (2)(B) of subsection (i) shall be adjusted
2 accordingly.”.

3 **SEC. 202. MODIFICATION OF CONTRIBUTION LIMITS IN RE-**
4 **SPONSE TO EXPENDITURES FROM PERSONAL**
5 **FUNDS.**

6 (a) MODIFICATION OF CONTRIBUTION LIMITS IN RE-
7 SPONSE TO EXPENDITURES FROM PERSONAL FUNDS.—
8 Section 315(i) of the Federal Election Campaign Act of
9 1971 (2 U.S.C. 441a) (as added by section 201) is amend-
10 ed by adding at the end the following:

11 “(2) INCREASE IN LIMIT TO ALLOW RESPONSE
12 TO EXPENDITURES FROM PERSONAL FUNDS.—

13 “(A) IN GENERAL.—The applicable limit
14 under paragraph (1) for a particular election
15 shall be increased by the personal funds
16 amount.

17 “(B) PERSONAL FUNDS AMOUNT.—The
18 personal funds amount is an amount equal to
19 the excess (if any) of—

20 “(i) the greatest aggregate amount of
21 expenditures from personal funds (as de-
22 fined in section 304(a)(6)(B)) in excess of
23 \$25,000 that an opposing candidate in the
24 same election makes; over

1 “(ii) the aggregate amount of expendi-
 2 tures from personal funds made by the
 3 candidate in the election.”.

4 (b) NOTIFICATION OF EXPENDITURES FROM PER-
 5 SONAL FUNDS.—Section 304(a)(6) of the Federal Elec-
 6 tion Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is
 7 amended—

8 (1) by redesignating subparagraph (B) as sub-
 9 paragraph (D); and

10 (2) by inserting after subparagraph (A) the fol-
 11 lowing:

12 “(B) NOTIFICATION OF EXPENDITURE FROM PER-
 13 SONAL FUNDS.—

14 “(i) DEFINITION OF EXPENDITURE FROM PER-
 15 SONAL FUNDS.—In this subparagraph, the term ‘ex-
 16 penditure from personal funds’ means—

17 “(I) an expenditure made by a candidate
 18 using personal funds; and

19 “(II) a contribution made by a candidate
 20 using personal funds to the candidate’s author-
 21 ized committee.

22 “(ii) INITIAL NOTIFICATION.—Not later than
 23 24 hours after a candidate seeking nomination for
 24 election to, or election to, the Senate makes or obli-
 25 gates to make an aggregate amount of expenditures

1 from personal funds in excess of \$25,000 in connec-
2 tion with any election, the candidate shall file a noti-
3 fication stating the amount of the expenditure
4 with—

5 “(I) the Commission; and

6 “(II) each candidate in the same election.

7 “(iii) ADDITIONAL NOTIFICATION.—After a
8 candidate files an initial notification under clause
9 (ii), the candidate shall file an additional notification
10 each time expenditures from personal funds are
11 made or obligated to be made in an aggregate
12 amount of \$5,000 with—

13 “(I) the Commission; and

14 “(II) each candidate in the same election.

15 “(iv) CONTENTS.—A notification under clause
16 (ii) or (iii) shall include—

17 “(I) the name of the candidate and the of-
18 fice sought by the candidate;

19 “(II) the date and amount of each expendi-
20 ture; and

21 “(III) the total amount of expenditures
22 from personal funds that the candidate has
23 made, or obligated to make, with respect to an
24 election as of the date of the expenditure that
25 is the subject of the notification.”.

1 (c) DEFINITIONS.—Section 301 of the Federal Elec-
2 tion Campaign Act of 1971 (2 U.S.C. 431) (as amended
3 by section 101(c)) is amended by adding at the end the
4 following:

5 “(21) ELECTION CYCLE.—The term ‘election cycle’
6 means the period beginning on the day after the date of
7 the most recent general election for the specific office or
8 seat that a candidate is seeking and ending on the date
9 of the next general election for that office or seat.

10 “(22) PERSONAL FUNDS.—The term ‘personal
11 funds’ means an amount that is derived from—

12 “(A) any asset that, under applicable State law,
13 at the time the individual became a candidate, the
14 candidate had legal right of access to or control
15 over, and with respect to which the candidate had—

16 “(i) legal and rightful title; or

17 “(ii) an equitable interest;

18 “(B) income received during the current elec-
19 tion cycle of the candidate, including—

20 “(i) a salary and other earned income from
21 bona fide employment;

22 “(ii) dividends and proceeds from the sale
23 of the candidate’s stocks or other investments;

24 “(iii) bequests to the candidate;

1 “(iv) income from trusts established before
2 the beginning of the election cycle;

3 “(v) income from trusts established by be-
4 quest after the beginning of the election cycle of
5 which the candidate is the beneficiary;

6 “(vi) gifts of a personal nature that had
7 been customarily received by the candidate
8 prior to beginning of the election cycle; and

9 “(vii) proceeds from lotteries and similar
10 legal games of chance; and

11 “(C) a portion of assets that are jointly owned
12 by the candidate and the candidate’s spouse equal to
13 the candidate’s share of the asset under the instru-
14 ment of conveyance or ownership but if no specific
15 share is indicated by an instrument of conveyance or
16 ownership, the value of $\frac{1}{2}$ of the property.”.

17 **SEC. 203. LIMIT ON SENATE USE OF THE FRANKING PRIVI-**
18 **LEGE.**

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

21 (1) in subparagraph (A)—

22 (A) in the matter preceding clause (i), by
23 striking “Congress may not” and inserting “the
24 House of Representatives may not”; and

1 (B) in clause (i), by striking “60 days (or,
2 in the case of a Member of the House, fewer
3 than 90 days)” and inserting “90 days”; and
4 (2) by striking subparagraph (C) and inserting
5 the following:

6 “(C)(i) A Member of the Senate shall not
7 mail any mass mailing as franked mail during
8 a year in which there will be an election for the
9 seat held by the Member during the period be-
10 tween January 1 of that year and the date of
11 the general election for that office, unless the
12 Member has made a public announcement that
13 the Member will not be a candidate for reelec-
14 tion to that office in that year.

15 “(ii) A Member of the Senate shall not
16 mail any mass mailing as franked mail if the
17 mass mailing is postmarked fewer than 60 days
18 before the date of any primary election or gen-
19 eral election (whether regular, special, or run-
20 off) for any national, State, or local office in
21 which the Member is a candidate for election.”.

1 **TITLE III—VOLUNTARINESS OF**
2 **POLITICAL CONTRIBUTIONS**

3 **SEC. 301. CONSENT FOR USE OF DUES AND FEES OF LABOR**
4 **ORGANIZATIONS.**

5 (a) FINDINGS.—Congress finds that—

6 (1) workers who pay dues or fees to a labor or-
7 ganization may not, as a matter of law, be required
8 to pay to that organization any dues or fees sup-
9 porting activities that are not necessary to perform
10 the duties of the exclusive representative of employ-
11 ees in dealing with the employer on labor-manage-
12 ment issues;

13 (2) many labor organizations use portions of
14 the dues or fees they collect from the workers they
15 represent for activities that are not necessary to per-
16 form those duties, such as supporting political, so-
17 cial, or charitable causes or other non-collective bar-
18 gaining activities;

19 (3) unfortunately, many workers who pay such
20 dues or fees have insufficient information about the
21 workers' rights regarding the payment of dues or
22 fees to a labor organization and how labor organiza-
23 tions spend employee dues or fees; and

24 (4) it is a fundamental tenet of this Nation that
25 all men and women have a right to make individual

1 and informed choices about the political, social, or
2 charitable causes they support, and the law should
3 protect that right to the greatest extent possible.

4 (b) PURPOSE.—The purpose of this section is to en-
5 sure that—

6 (1) all workers have sufficient information
7 about their rights regarding the payment of dues or
8 fees to labor organizations and the uses of employee
9 dues and fees by labor organizations; and

10 (2) the right of all workers to make individual
11 and informed choices about the political, social, or
12 charitable causes they support is protected to the
13 greatest extent possible.

14 (c) WRITTEN CONSENT.—

15 (1) IN GENERAL.—

16 (A) AUTHORIZATION.—Before accepting
17 payment of any dues or fees from an employee
18 as a condition of employment, under an agree-
19 ment authorized by Federal law, a labor organi-
20 zation shall obtain from each employee vol-
21 untary, written authorization for any portion of
22 the dues or fees that will be used for an activity
23 that is not necessary to perform the duties of
24 the exclusive representative of the employees in

1 dealing with the employer on labor-management
2 issues.

3 (B) REQUIREMENTS.—An authorization
4 under subparagraph (A) shall clearly state
5 that—

6 (i) an employee may not be required
7 to provide the authorization; and

8 (ii) if the authorization is provided,
9 the employee agrees to allow any dues or
10 fees paid to the labor organization to be
11 used for activities that are not necessary to
12 perform the duties of the exclusive rep-
13 resentative and that may be political, so-
14 cial, or charitable in nature.

15 (2) REVOCATION.—An authorization under
16 paragraph (1) is effective until revoked by written
17 notice to the labor organization and a revocation
18 shall be effective on the date that is 30 days after
19 the date of receipt of the notice by the labor organi-
20 zation.

21 (3) CIVIL ACTION BY EMPLOYEE.—

22 (A) IN GENERAL.—An affected employee
23 may bring a civil action against a labor organi-
24 zation that violates this subsection in any Fed-

1 eral or State court of competent jurisdiction
2 for—

3 (i) damages equal to—

4 (I) twice the amount of the dues
5 or fees accepted in violation of this
6 subsection; and

7 (II) the interest on the amount
8 described in subclause (I) calculated
9 at the prevailing rate; and

10 (ii) such equitable relief as may be ap-
11 propriate.

12 (B) FEES AND COSTS.—The court shall, in
13 addition to any judgment awarded to the plain-
14 tiff, allow a reasonable attorney’s fee, reason-
15 able expert witness fee, and other costs of the
16 civil action.

17 (C) LIMITATION.—

18 (i) IN GENERAL.—Except as provided
19 in clause (ii), a civil action may be brought
20 under this paragraph not later than the
21 date that is 2 years after the date on
22 which the employee knew or should have
23 known that dues or fees were accepted or
24 spent by a labor organization in violation
25 of this subsection.

1 (ii) WILLFUL VIOLATION.—In the
2 case of a willful violation of this sub-
3 section, clause (i) shall be applied by sub-
4 stituting “3 years” for “2 years”.

5 (d) NOTICE.—An employer shall post a notice, of
6 such size and in such form as the Secretary of Labor shall
7 prescribe, in conspicuous places on the employer’s prop-
8 erty (including plants, offices, and all places where notices
9 to employees are customarily posted) informing employees
10 that any labor organization accepting payment of any dues
11 or fees from an employee as a condition of employment
12 under an agreement authorized by Federal law must ob-
13 tain from each employee prior, written authorization if any
14 portion of such dues or fees will be used for activities not
15 necessary to perform the duties of the exclusive represent-
16 ative of the employees in dealing with the employer on
17 labor-management issues.

18 (e) DISCLOSURE TO WORKERS.—

19 (1) EXPENSES REPORTING.—Section 201(b)(6)
20 of the Labor-Management Reporting and Disclosure
21 Act of 1959 (29 U.S.C. 431(b)(6)) is amended by
22 inserting “and attributing the disbursements in such
23 detail as necessary to allow members and employees
24 required to pay any dues or fees to the labor organi-
25 zation to determine whether the disbursements were

1 necessary to perform the duties of the exclusive rep-
2 resentative of the employees in dealing with the em-
3 ployer on labor-management issues” before “there-
4 of”.

5 (2) DISCLOSURE.—Section 201(c) of the Labor-
6 Management Reporting and Disclosure Act of 1959
7 (29 U.S.C. 431(c)) is amended in the first
8 sentence—

9 (A) by inserting “and employees required
10 to pay any dues or fees to the labor organiza-
11 tion” after “members”; and

12 (B) by inserting “or employee required to
13 pay any dues or fees to the labor organization”
14 after “member” each place it appears.

15 (3) WRITTEN REQUESTS.—Section 205 of the
16 Labor-Management Reporting and Disclosure Act of
17 1959 (29 U.S.C. 435) is amended—

18 (A) by striking subsection (b) and insert-
19 ing the following:

20 “(b) INSPECTION, EXAMINATION, AND COPYING OF
21 INFORMATION AND DATA.—The Secretary shall by regula-
22 tion make reasonable provision for—

23 “(1) on the request of any person, the inspec-
24 tion and examination of the information and data
25 contained in any report or other document filed with

1 the Secretary under section 201, 202, 203, or 211;
2 and

3 “(2) on written request of any person, the avail-
4 ability of complete copies of any report or other doc-
5 ument filed under section 201.”; and

6 (B) in subsection (c), in the first sentence,
7 by inserting “(except as provided in subsection
8 (b)(2))” before the period.

9 (f) REGULATIONS.—The Secretary of Labor shall
10 promulgate a regulation as necessary to carry out—

11 (1) the amendments made by subsection (d),
12 not later than the date that is 60 days after the date
13 of enactment of this Act; and

14 (2) the amendments made by subsection (e),
15 not later than the date that is 120 days after the
16 date of enactment of this Act.

17 **SEC. 302. CORPORATE SHAREHOLDER NOTIFICATION.**

18 Title III of the Federal Election Campaign Act of
19 1971 (2 U.S.C. 431 et seq.) is amended by inserting after
20 section 316 the following:

21 **“SEC. 316A. CORPORATE SHAREHOLDER NOTIFICATION.**

22 “A corporation required by any law of Congress to
23 submit an annual report to the corporation’s shareholders
24 shall disclose—

1 “(1) the aggregate amount of donations (as de-
2 fined in section 301(20)) made by the corporation
3 during the year; and

4 “(2) the name of the political committee to
5 which each donation was made.”.

6 **TITLE IV—ELIMINATION OF**
7 **ELECTION CAMPAIGN EXCESSES**

8 **SEC. 401. PROHIBITION OF FUNDRAISING ON FEDERAL**
9 **PROPERTY AND OTHER CRIMINAL PROHIBI-**
10 **TIONS.**

11 (a) PROHIBITION OF FUNDRAISING ON FEDERAL
12 PROPERTY.—Section 607 of title 18, United States Code,
13 is amended—

14 (1) in subsection (a), by striking “within the
15 meaning of section 301(8)” and inserting “or dona-
16 tion within the meaning of paragraphs (8) and (20)
17 of section 301(8)”; and

18 (2) in subsection (b)—

19 (A) by inserting “or donations” after “con-
20 tributions” each place it appears;

21 (B) by inserting “or donation” after “con-
22 tribution”; and

23 (C) by inserting “donor” after “contrib-
24 utor”.

1 (b) AMENDMENT OF TITLE 18 TO INCLUDE PROHI-
2 BITION OF DONATIONS.—Chapter 29 of title 18, United
3 States Code, is amended—

4 (1) in section 602(a)(4), by striking “within the
5 meaning of section 301(8)” and inserting “or dona-
6 tion within the meaning of paragraphs (8) and (20)
7 of section 301”; and

8 (2) in section 603(a)—

9 (A) by striking “within the meaning of sec-
10 tion 301(8)” and inserting “or donation within
11 the meaning of paragraphs (8) and (20) of sec-
12 tion 301”; and

13 (B) by inserting “or donation” after con-
14 tribution the second and third time it appears.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to violations occurring on or after
17 the date of enactment of this Act.

18 **SEC. 402. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DO-**
19 **NATIONS IN TREASURY ACCOUNT.**

20 (a) IN GENERAL.—Title III of the Federal Election
21 Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended
22 by adding at the end the following:

23 **“SEC. 324. TREATMENT OF CERTAIN CONTRIBUTIONS AND**
24 **DONATIONS TO BE RETURNED TO DONORS.**

25 “(a) TRANSFER TO COMMISSION.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of this Act, if a political committee intends
3 to return any contribution or donation given to the
4 political committee, the committee shall transfer the
5 contribution or donation to the Commission if—

6 “(A) the contribution or donation is in an
7 amount equal to or greater than \$500 (other
8 than a contribution or donation returned within
9 60 days of receipt by the committee); or

10 “(B) the contribution or donation was
11 made in violation of section 315, 316, 317, 319,
12 320, or 325 (other than a contribution or dona-
13 tion returned within 30 days of receipt by the
14 committee).

15 “(2) INFORMATION INCLUDED WITH TRANS-
16 FERRED CONTRIBUTION OR DONATION.—A political
17 committee shall include with any contribution or do-
18 nation transferred under paragraph (1)—

19 “(A) a request that the Commission return
20 the contribution or donation to the person mak-
21 ing the contribution or donation; and

22 “(B) information regarding the cir-
23 cumstances surrounding the making of the con-
24 tribution or donation and any opinion of the po-
25 litical committee concerning whether the con-

1 tribution or donation may have been made in
2 violation of this Act.

3 “(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

4 “(A) IN GENERAL.—The Commission shall
5 establish a single interest-bearing escrow ac-
6 count for deposit of amounts transferred under
7 paragraph (1).

8 “(B) DISPOSITION OF AMOUNTS RE-
9 CEIVED.—On receiving an amount from a polit-
10 ical committee under paragraph (1), the Com-
11 mission shall—

12 “(i) deposit the amount in the escrow
13 account established under subparagraph
14 (A); and

15 “(ii) notify the Attorney General and
16 the Commissioner of the Internal Revenue
17 Service of the receipt of the amount from
18 the political committee.

19 “(C) USE OF INTEREST TO COVER ADMIN-
20 ISTRATIVE COSTS.—Any interest earned on
21 amounts in the escrow account established
22 under subparagraph (A) shall be applied toward
23 the administrative costs incurred by the Com-
24 mission in establishing and administering the

1 account, and any remaining interest shall be de-
2 posited in the general fund of the Treasury.

3 “(4) TREATMENT OF RETURNED CONTRIBU-
4 TION OR DONATION AS A COMPLAINT.—The transfer
5 of any contribution or donation to the Commission
6 under this section shall be treated as the filing of
7 a complaint under section 309(a).

8 “(b) USE OF AMOUNTS PLACED IN ESCROW TO
9 COVER FINES AND PENALTIES.—The Commission or the
10 Attorney General may require any amount deposited in
11 the escrow account under subsection (a)(3) to be applied
12 toward the payment of any fine or penalty imposed under
13 this Act or title 18, United States Code against the person
14 making the contribution or donation.

15 “(c) RETURN OF CONTRIBUTION OR DONATION
16 AFTER DEPOSIT IN ESCROW.—

17 “(1) IN GENERAL.—The Commission shall re-
18 turn a contribution or donation deposited in the es-
19 crow account under subsection (a)(3) to the person
20 making the contribution or donation if—

21 “(A) within 180 days after the date the
22 contribution or donation is transferred, the
23 Commission has not made a determination
24 under section 309(a)(2) that the Commission
25 has reason to believe that the making of the

1 contribution or donation was made in violation
2 of this Act; or

3 “(B)(i) the contribution or donation will
4 not be used to cover fines, penalties, or costs
5 pursuant to subsection (b); or

6 “(ii) in the case of a contribution or dona-
7 tion that will be used for a purpose described
8 in clause (i), the amounts required for such
9 purpose have been withdrawn from the escrow
10 account and subtracted from the returnable
11 contribution or donation.

12 “(2) NO EFFECT ON STATUS OF INVESTIGA-
13 TION.—The return of a contribution or donation by
14 the Commission under this subsection shall not be
15 construed as having an effect on the status of an in-
16 vestigation by the Commission or the Attorney Gen-
17 eral of the contribution or donation or the cir-
18 cumstances surrounding the contribution or dona-
19 tion, or on the ability of the Commission or the At-
20 torney General to take future actions with respect to
21 the contribution or donation.”.

22 (b) AMOUNTS USED TO DETERMINE AMOUNT OF
23 PENALTY FOR VIOLATION.—Section 309(a) of the Federal
24 Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is
25 amended by inserting after paragraph (9) the following:

1 “(10) For purposes of determining the amount of a
2 civil penalty imposed under this subsection for a violation
3 of section 324, the amount of the donation involved shall
4 be treated as the amount of the contribution involved.”.

5 (e) DISGORGEMENT AUTHORITY.—Section 309 of the
6 Federal Election Campaign Act of 1971 (2 U.S.C. 437g)
7 is amended by adding at the end the following:

8 “(e) DISGORGEMENT AUTHORITY.—Any conciliation
9 agreement, civil action, or criminal action entered into or
10 instituted under this section may require a person to for-
11 feit to the Treasury any contribution, donation, or expend-
12 iture that is the subject of the agreement or action for
13 transfer to the Commission for deposit in accordance with
14 section 324.”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 subsections (a) and (b) shall apply with respect to con-
17 tributions or donations returned on or after the date of
18 enactment of this Act, without regard to whether the Fed-
19 eral Election Commission or Attorney General has issued
20 regulations to carry out section 324 of the Federal Elec-
21 tion Campaign Act of 1971 (as added by subsection (a))
22 by that date.

1 **SEC. 403. NATIONAL POLITICAL PARTY COMMITTEES;**
 2 **“SOFT” AND “HARD” MONEY.**

3 (a) “SOFT” MONEY OF NATIONAL POLITICAL PARTY
 4 COMMITTEES.—Title III of the Federal Election Cam-
 5 paign Act of 1971 (2 U.S.C. 431 et seq.) (as amended
 6 by section 402) is amended by adding at the end the fol-
 7 lowing:

8 **“SEC. 325. ‘SOFT’ MONEY OF POLITICAL PARTY COMMIT-**
 9 **TEES.**

10 “A national committee of a political party, any subor-
 11 dinate committee of a national committee, a Senatorial or
 12 Congressional Campaign Committee of a national political
 13 party, or an entity that is directly or indirectly established,
 14 financed, maintained, or controlled by a national com-
 15 mittee or a Senatorial or Congressional Campaign Com-
 16 mittee of a national political party or that is an entity
 17 acting on behalf of a national committee or a Senatorial
 18 or Congressional Campaign Committee of a national polit-
 19 ical party shall not accept donations from any person dur-
 20 ing a calendar year in an aggregate amount that exceeds
 21 \$100,000.”.

22 (b) INCREASE IN “HARD” LIMITS ON CONTRIBU-
 23 TIONS.—Section 315(a) of the Federal Election Campaign
 24 Act of 1971 (2 U.S.C. 441a(a)) is amended—

25 (1) in paragraph (1)(B), by striking “\$20,000”
 26 and inserting “\$50,000”; and

1 (2) in paragraph (3), by striking “\$25,000”
2 and inserting “\$50,000”.

3 **SEC. 404. PROHIBITION OF CONVERSION OF CAMPAIGN**
4 **FUNDS TO PERSONAL USE.**

5 Section 313 of the Federal Election Campaign Act
6 of 1971 (2 U.S.C. 439a) is amended to read as follows:

7 **“SEC. 313. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN**
8 **PURPOSES.**

9 “(a) PERMITTED USES.—A contribution accepted by
10 a candidate, and any other amount received by an indi-
11 vidual as support for activities of the individual as a holder
12 of Federal office, may be used by the candidate or
13 individual—

14 “(1) for expenditures in connection with the
15 campaign for Federal office of the candidate or indi-
16 vidual;

17 “(2) for ordinary and necessary expenses in-
18 curred in connection with duties of the individual as
19 a holder of Federal office;

20 “(3) for a charitable contribution (as defined in
21 section 170(c) of the Internal Revenue Code of
22 1986) to an organization described in section
23 170(c)(2) of such Code; or

24 “(4) for transfers to a national, State, or local
25 committee of a political party.

1 “(b) PROHIBITED USE.—

2 “(1) IN GENERAL.—A contribution or amount
3 described in subsection (a) shall not be converted by
4 any person to personal use.

5 “(2) CONVERSION.—For the purposes of para-
6 graph (1), a contribution or amount shall be consid-
7 ered to be converted to personal use if the contribu-
8 tion or amount is used to fulfill any commitment,
9 obligation, or expense of a person that would exist
10 irrespective of the candidate’s election campaign or
11 individual’s duties as a holder of Federal office,
12 including—

13 “(A) a home mortgage, rent, or utility pay-
14 ment;

15 “(B) a clothing purchase;

16 “(C) a noncampaign-related automobile ex-
17 pense;

18 “(D) a country club membership;

19 “(E) a vacation or other noncampaign-re-
20 lated trip;

21 “(F) a household food item;

22 “(G) a tuition payment;

23 “(H) admission to a sporting event, con-
24 cert, theater, or other form of entertainment
25 not associated with an election campaign; and

1 “(I) dues, fees, and other payments to a
2 health club or recreational facility.”.

3 **TITLE V—ENHANCED**
4 **DISCLOSURE**

5 **SEC. 501. REPORTING REQUIREMENTS FOR CANDIDATES.**

6 (a) WEEKLY REPORTS.—Section 304(a)(2)(A) of the
7 Federal Election Campaign Act of 1971 (2 U.S.C.
8 434(a)(2)(A)) is amended—

9 (1) in clause (ii), by striking “and” at the end;
10 and

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

12 “(iv) beginning on the date that is 30 days
13 before the date of the general election and end-
14 ing on the date of the general election, addi-
15 tional weekly reports which shall be filed not
16 later than Monday of each week; and”.

17 (b) EXPEDITED REPORTING FOR LARGE CONTRIBU-
18 TIONS MADE TO PRINCIPAL CAMPAIGN COMMITTEE
19 WITHIN 90 DAYS OF ELECTION.—Section 304(a)(6)(A)
20 of the Federal Election Campaign Act of 1971 (2 U.S.C.
21 434(a)(6)(A)) is amended by striking “after the 20th day”
22 and inserting “after the 90th day before an election”.

23 (c) WAIVER OF “BEST EFFORTS” EXCEPTION FOR
24 INFORMATION ON IDENTIFICATION OF CONTRIBUTORS.—

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

3 (1) by striking “(i) When the treasurer” and
4 inserting “(i)(1) Except as provided in paragraph
5 (2), when the treasurer”; and

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

7 “(2) Paragraph (1) shall not apply with respect to
8 information regarding the identification of any person who
9 makes a contribution or contributions aggregating more
10 than \$200 during a calendar year (as required to be pro-
11 vided under subsection (c)(3)).”.

12 **SEC. 502. ACCESS TO INFORMATION ON THE INTERNET.**

13 Section 304 of the Federal Election Campaign Act
14 of 1971 (2 U.S.C. 434(a)) is amended by adding at the
15 end the following:

16 “(d) ELECTRONIC DISCLOSURE TO THE PUBLIC.—
17 The Commission shall make the information contained in
18 a report submitted under this section available to the pub-
19 lic on the Internet and at the offices of the Commission
20 as soon as practicable after the information is received by
21 the Commission.”.

1 **SEC. 503. REPORTING REQUIREMENTS FOR INDEPENDENT**
 2 **EXPENDITURES WITHIN 20 DAYS BEFORE AN**
 3 **ELECTION.**

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

6 (1) by redesignating subsection (d) (as added
 7 by section 502) as subsection (e); and

8 (2) in subsection (c)—

9 (A) in paragraph (2), by striking the un-
 10 designated matter after subparagraph (C);

11 (B) by redesignating paragraph (3) as
 12 paragraph (7); and

13 (C) by inserting after paragraph (2) the
 14 following:

15 “(d) TIME FOR REPORTING CERTAIN EXPENDI-
 16 TURES.—

17 “(1) EXPENDITURES AGGREGATING \$1,000.—

18 “(A) INITIAL REPORT.—A person that
 19 makes independent expenditures aggregating
 20 \$1,000 or more after the 20th day, but more
 21 than 24 hours, before the date of an election
 22 shall file a report describing the expenditures
 23 within 24 hours after that amount of inde-
 24 pendent expenditures has been made.

25 “(B) ADDITIONAL REPORTS.—After a per-
 26 son files a report under subparagraph (A), the

1 person shall file an additional report each time
2 that independent expenditures aggregating an
3 additional \$1,000 are made with respect to the
4 same election as that to which the initial report
5 relates.

6 “(2) EXPENDITURES AGGREGATING \$10,000.—

7 “(A) INITIAL REPORT.—A person that
8 makes independent expenditures aggregating
9 \$10,000 or more at any time up to and includ-
10 ing the 20th day before an election shall file a
11 report describing the expenditures within 48
12 hours after that amount of independent expend-
13 itures is made.

14 “(B) ADDITIONAL REPORTS.—After a per-
15 son files a report under subparagraph (A), the
16 person shall file an additional report each time
17 that independent expenditures aggregating an
18 additional \$10,000 are made with respect to the
19 same election as that to which the initial report
20 relates.

21 “(3) PLACE OF FILING; CONTENTS; TRANS-
22 MITTAL.—

23 “(A) PLACE OF FILING; CONTENTS.—A re-
24 port under this subsection—

1 “(i) shall be filed with the Commis-
2 sion; and

3 “(ii) shall contain the information re-
4 quired by subsection (b)(6)(B)(iii).

5 “(B) TRANSMITTAL TO CANDIDATES.—Not
6 later than 2 business days after receipt of a re-
7 port under this subsection, the Commission
8 shall transmit a copy of the report to each can-
9 didate seeking nomination for election to, or
10 election to, the office in question.

11 “(4) OBLIGATION TO MAKE EXPENDITURE.—
12 For purposes of this subsection, an expenditure shall
13 be treated as being made on the making of any pay-
14 ment or the taking of any action to incur an obliga-
15 tion for payment.”.

16 **SEC. 504. REQUIRED LOBBYIST DISCLOSURE OF CONTRIBU-**
17 **TIONS AND DONATIONS.**

18 Section 5 of the Lobbying Disclosure Act of 1995 (2
19 U.S.C. 1604) is amended—

20 (1) in subsection (a), by inserting “, contribu-
21 tions, and donations” after “lobbying activities”;
22 and

23 (2) in subsection (b)—

24 (A) in paragraph (3), by striking “; and”
25 at the end;

1 (B) in paragraph (4), by striking the pe-
 2 riod at the end and inserting “; and”; and

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

4 “(5) if the registrant, the registrant’s employer,
 5 or a separate segregated fund of such employer has
 6 made a contribution or donation (as defined in sec-
 7 tion 301 of the Federal Election Campaign Act of
 8 1971 (2 U.S.C. 431)) to a covered executive branch
 9 official, covered legislative branch official, or political
 10 committee (as defined in section 301 of the Federal
 11 Election Campaign Act of 1971 (2 U.S.C. 431)), the
 12 amount of the contribution or donation, the official
 13 or political committee to whom the contribution or
 14 donation was made, and the date on which the con-
 15 tribution or donation was made.”.

16 **TITLE VI—FEDERAL ELECTION**
 17 **COMMISSION REFORM**

18 **SEC. 601. FILING OF REPORTS USING COMPUTERS AND**
 19 **FACSIMILE MACHINES.**

20 Section 304(a) of the Federal Election Campaign Act
 21 of 1971 (2 U.S.C. 434(a)) is amended by striking para-
 22 graph (11) and inserting the following:

23 “(11) FILING REPORTS USING COMPUTERS AND
 24 FACSIMILE MACHINES.—

1 “(A) SOFTWARE.—The Commission
2 shall—

3 “(i) develop software for use to file a
4 designation, statement, or report under
5 this Act; and

6 “(ii) provide a copy of the software at
7 no cost to a person required to file a des-
8 ignation, statement, or report under this
9 Act.

10 “(B) COMPUTERS.—The Commission shall
11 promulgate a regulation under which a person
12 required to file a designation, statement, or re-
13 port under this Act—

14 “(i) is required to maintain and file
15 the designation, statement, or report for
16 any calendar year in electronic form acces-
17 sible by computers if the person has, or
18 has reason to expect to have, aggregate
19 contributions or expenditures in excess of a
20 threshold amount determined by the Com-
21 mission; and

22 “(ii) may maintain and file a designa-
23 tion, statement, or report in that manner
24 if not required to do so under a regulation
25 promulgated under clause (i).

1 “(C) FACSIMILE MACHINE.—The Commis-
2 sion shall promulgate a regulation which allows
3 a person to file a designation, statement, or re-
4 port required by this Act through the use of a
5 facsimile machine.

6 “(D) VERIFICATION OF SIGNATURE.—In
7 promulgating a regulation under this para-
8 graph, the Commission shall provide methods
9 (other than requiring a signature on the docu-
10 ment being filed) for verifying a designation,
11 statement, or report covered by the regulation.
12 A document verified under any of the methods
13 shall be treated for all purposes (including pen-
14 alties for perjury) in the same manner as a doc-
15 ument verified by signature.”.

16 **SEC. 602. TERM LIMITS FOR FEDERAL ELECTION COMMIS-**
17 **SION.**

18 (a) IN GENERAL.—Section 306(a)(2)(A) of the Fed-
19 eral Election Campaign Act of 1971 (2 U.S.C.
20 437c(a)(2)(A)) is amended in the matter preceding clause
21 (i) by striking “6 years” and inserting “8 years”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall apply to appointments made after the
24 date of enactment of this Act.

1 **SEC. 603. INCREASE IN PENALTY FOR KNOWING AND WILL-**
2 **FUL VIOLATIONS.**

3 Section 309(a)(5)(B) of the Federal Election Cam-
4 paign Act of 1971 (2 U.S.C. 437g(a)(5)(B)) is amended
5 by striking “the greater of \$10,000 or an amount equal
6 to 200 percent” and inserting “the greater of \$15,000 or
7 an amount equal to 300 percent”.

8 **SEC. 604. CIVIL PENALTIES FOR MINOR REPORTING VIOLA-**
9 **TIONS.**

10 Section 309(a)(4)(A) of the Federal Election Cam-
11 paign Act of 1971 (2 U.S.C. 437g(a)(4)(A)) is amended—

12 (1) in the first sentence of clause (i) by striking
13 “clause (ii)” and inserting “clauses (ii) and (iii)”;
14 and

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

16 “(iii) MINOR REPORTING VIOLATIONS.—

17 “(I) DEFINITION OF MINOR REPORTING
18 VIOLATION.—The Commission shall by regula-
19 tion establish a definition of the term ‘minor re-
20 porting violation’ for the purposes of this
21 clause.

22 “(II) ASSESSMENT BY THE COMMISSION.—

23 After notice and hearing, the Commission may,
24 without following the procedure of subpara-
25 graph (A) or paragraph (5) or (6), assess a civil

1 penalty against a person that commits a minor
2 reporting violation.

3 “(III) SCHEDULE OF AMOUNTS OF CIVIL
4 PENALTIES.—The Commission shall by regula-
5 tion establish a schedule of the amounts (or
6 ranges of amounts) of civil penalties (not to ex-
7 ceed \$5,000) that shall be assessed for different
8 categories of minor reporting violations.

9 “(IV) CONSIDERATIONS.—In determining
10 the amounts of civil penalties, the Commission
11 shall consider the effect that a violation could
12 be expected to have on the conduct of an elec-
13 tion campaign or on the outcome of an election,
14 the previous compliance record of the violator,
15 and other appropriate factors.

16 “(V) LIMITATION.—A civil penalty as-
17 sessed by the Commission under this clause
18 shall not be made public within 30 days before
19 the date of an election.

20 “(VI) ENFORCEMENT AND JUDICIAL RE-
21 VIEW.—The Commission, acting through its
22 own attorneys, may bring a civil action in
23 United States district court for payment of, and
24 a person against whom a civil penalty has been
25 assessed may bring a civil action in United

1 States district court to review, a civil penalty
 2 under subclause (II). Paragraph (7) shall apply
 3 to a civil action under this subclause.

4 “(VII) ELECTION OF REMEDY.—If the
 5 Commission elects to proceed under this clause
 6 against a person for a minor reporting viola-
 7 tion, the Commission shall be precluded from
 8 seeking enforcement with respect to that viola-
 9 tion under any other provision of this Act or
 10 other law.”.

11 **SEC. 605. ORAL ARGUMENTS; INDEX OF ACTIONS.**

12 (a) OPPORTUNITY FOR ORAL ARGUMENTS BEFORE
 13 COMMISSION.—Section 309(a)(3) of the Federal Election
 14 Campaign Act of 1971 (2 U.S.C. 437g(a)(3)) is
 15 amended—

16 (1) by striking “(3)” and inserting “(3)(A)”;

17 and

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

19 “(B) ORAL ARGUMENT.—

20 “(i) REQUEST.—If a respondent sub-
 21 mits a brief under subparagraph (A), the
 22 respondent may submit, with the brief, a
 23 request to present an oral argument before
 24 the Commission in support of the respond-
 25 ent’s brief.

1 “(ii) PRESENTATION.—

2 “(I) IN GENERAL.—If at least 2
3 members of the Commission approve
4 of a request submitted under clause
5 (i), the respondent or the respondent’s
6 representative shall appear before the
7 Commission in an open session and
8 make an oral presentation in support
9 of the brief and respond to questions
10 of members of the Commission.

11 “(II) TIME.—The appearance
12 shall take place at a time specified by
13 the Commission during the 30-day pe-
14 riod that begins on the date the re-
15 quest is approved, and the Commis-
16 sion may limit the length of the re-
17 spondent’s appearance to a period of
18 time that the Commission considers
19 appropriate.

20 “(III) CONSIDERATION.—Infor-
21 mation provided by the respondent
22 during the appearance shall be consid-
23 ered by the Commission before pro-
24 ceeding under paragraph (4).”.

1 (b) INDEX OF ADVISORY OPINIONS, REGULATIONS,
 2 AND ENFORCEMENT ACTIONS.—Section 311 of the Fed-
 3 eral Election Campaign Act of 1971 (2 U.S.C. 438) is
 4 amended by adding at the end the following:

5 “(g) COMPILATION OF INDEX.—The Commission
 6 shall compile, publish, and regularly update a complete
 7 and detailed index of the advisory opinions issued under
 8 this section 308, enforcement actions under section 309,
 9 and regulations issued under this Act.”.

10 **SEC. 606. CHANGE IN CERTAIN REPORTING FROM A CAL-**
 11 **ENDAR YEAR BASIS TO AN ELECTION CYCLE**
 12 **BASIS.**

13 Paragraphs (2), (3), (4), (5), (6), and (7) of section
 14 304(b) of the Federal Election Campaign Act of 1971 (2
 15 U.S.C. 434(b)) are each amended by inserting “(election
 16 cycle, in the case of a candidate’s authorized committee)”
 17 after “calendar year” each place it appears.

18 **SEC. 607. CONFIRMATION OF GENERAL COUNSEL AND EX-**
 19 **ECUTIVE DIRECTOR.**

20 Section 306(f)(1) of the Federal Election Campaign
 21 Act of 1971 (2 U.S.C. 437c(f)(1)) is amended in the first
 22 sentence by striking “Commission” and inserting “Presi-
 23 dent, by and with the advice and consent of the Senate”
 24 before the period.

1 **TITLE VII—IMPROVEMENTS TO**
2 **THE NATIONAL VOTER REG-**
3 **ISTRATION ACT**

4 **SEC. 701. REPEAL OF REQUIREMENT FOR STATES TO PRO-**
5 **VIDE FOR VOTER REGISTRATION BY MAIL.**

6 (a) IN GENERAL.—Section 4(a) of the National Voter
7 Registration Act of 1993 (42 U.S.C. 1973gg–2(a)) is
8 amended—

9 (1) in paragraph (1), by adding “and” at the
10 end;

11 (2) by striking paragraph (2); and

12 (3) by redesignating paragraph (3) as para-
13 graph (2).

14 (b) CONFORMING AMENDMENTS RELATING TO UNI-
15 FORM MAIL VOTER REGISTRATION FORM.—

16 (1) The National Voter Registration Act of
17 1993 (42 U.S.C. 1973gg et seq.) is amended by
18 striking section 9.

19 (2) Section 7(a)(6)(A) of such Act (42 U.S.C.
20 1973gg–5(a)(6)(A)) is amended by striking
21 “assistance—” and all that follows and inserting the
22 following: “assistance, a voter registration applica-
23 tion form which meets the requirements described in
24 section 5(c)(2) (other than subparagraph (A) of

1 such section), unless the applicant, in writing, de-
 2 clines to register to vote;”.

3 (c) OTHER CONFORMING AMENDMENTS.—(1) The
 4 National Voter Registration Act of 1993 (42 U.S.C.
 5 1973gg et seq.) is amended by striking section 6.

6 (2) Section 8(a)(5) of such Act (42 U.S.C. 1973gg-
 7 6(a)(5)) is amended by striking “5, 6, and 7” and insert-
 8 ing “5 and 7”.

9 **SEC. 702. REQUIRING APPLICANTS REGISTERING TO VOTE**
 10 **TO PROVIDE CERTAIN ADDITIONAL INFOR-**
 11 **MATION.**

12 (a) SOCIAL SECURITY NUMBER.—

13 (1) IN GENERAL.—Section 5(c)(2) of the Na-
 14 tional Voter Registration Act of 1993 (42 U.S.C.
 15 1973gg-3(c)(2)) is amended—

16 (A) by striking “and” at the end of sub-
 17 paragraph (D);

18 (B) by striking the period at the end of
 19 subparagraph (E) and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(F) shall require the applicant to provide
 22 the applicant’s Social Security number.”.

23 (2) CONFORMING AMENDMENT.—Section
 24 5(c)(2)(A) of such Act (42 U.S.C. 1973gg-
 25 3(c)(2)(A)) is amended by inserting after “subpara-

1 graph (C)” the following: “, or the information de-
2 scribed in subparagraph (F)”.

3 (3) EFFECTIVE DATE.—The amendments made
4 by this section shall take effect January 1, 2000,
5 and shall apply with respect to applicants registering
6 to vote in elections for Federal office on or after
7 such date.

8 (b) ACTUAL PROOF OF CITIZENSHIP.—

9 (1) REGISTRATION WITH APPLICATION FOR
10 DRIVER’S LICENSE.—Section 5(c) of the National
11 Voter Registration Act of 1993 (42 U.S.C. 1973gg–
12 3(c)) is amended by adding at the end the following:

13 “(3) The voter registration portion of an application
14 for a State motor vehicle driver’s license shall not be con-
15 sidered to be completed unless the applicant provides to
16 the appropriate State motor vehicle authority proof that
17 the applicant is a citizen of the United States.”.

18 (2) REGISTRATION WITH VOTER REGISTRATION
19 AGENCIES.—Section 7(a) of such Act (42 U.S.C.
20 1973gg–5(a)) is amended by adding at the end the
21 following:

22 “(8) A voter registration application received by a
23 voter registration agency shall not be considered to be
24 completed unless the applicant provides to the agency
25 proof that the applicant is a citizen of the United States.”.

1 (3) CONFORMING AMENDMENT.—Section
2 8(a)(5)(A) of such Act (42 U.S.C. 1973gg–
3 6(a)(5)(A)) is amended by inserting “, including the
4 requirement that the applicant provide proof of citi-
5 zenship” after “requirements”.

6 **SEC. 703. REMOVAL OF CERTAIN REGISTRANTS FROM OFFI-**
7 **CIAL LIST OF ELIGIBLE VOTERS.**

8 (a) IN GENERAL.—Section 8(d) of the National Voter
9 Registration Act of 1993 (42 U.S.C. 1973gg–6(d)) is
10 amended—

11 (1) by redesignating paragraph (3) as para-
12 graph (4); and

13 (2) by inserting after paragraph (2) the fol-
14 lowing new paragraph:

15 “(3)(A) At the option of the State, a State may re-
16 move the name of a registrant from the official list of eligi-
17 ble voters in elections for Federal office (and, if necessary,
18 correct the registrar’s record of the registrant’s address)
19 on the ground that the registrant has changed residence
20 if—

21 “(i) the registrant has not voted or appeared to
22 vote in an election during the period beginning on
23 the day after the date of the second previous general
24 election for Federal office held prior to the date the

1 confirmation notice described in subparagraph (B) is
2 sent and ending on the date of such notice;

3 “(ii) the registrant has not voted or appeared to
4 vote in any of the first two general elections for Fed-
5 eral office held after the confirmation notice de-
6 scribed in subparagraph (B) is sent; and

7 “(iii) during the period beginning on the date
8 the confirmation notice described in subparagraph
9 (B) is sent and ending on the date of the second
10 general election for Federal office held after the date
11 such notice is sent, the registrant has failed to notify
12 the State in response to the notice that the reg-
13 istrant did not change his or her residence, or
14 changed residence but remained in the registrar’s ju-
15 risdiction.

16 “(B) A confirmation notice described in this subpara-
17 graph is a postage prepaid and pre-addressed return card,
18 sent by forwardable mail, on which a registrant may state
19 his or her current address, together with information con-
20 cerning how the registrant can continue to be eligible to
21 vote if the registrant has changed residence to a place out-
22 side the registrar’s jurisdiction and a statement that the
23 registrant may be removed from the official list of eligible
24 voters if the registrant does not respond to the notice (dur-
25 ing the period described in subparagraph (A)(iii)) by stat-

1 ing that the registrant did not change his or her residence,
 2 or changed residence but remained in the registrar’s juris-
 3 diction.”.

4 (b) CONFORMING AMENDMENT.—Section 8(i)(2) of
 5 such Act (42 U.S.C. 1973gg–6(d)) is amended by insert-
 6 ing “or subsection (d)(3)” after “subsection (d)(2)”.

7 **SEC. 704. PERMITTING STATE TO REQUIRE VOTERS TO**
 8 **PRODUCE ADDITIONAL INFORMATION PRIOR**
 9 **TO VOTING.**

10 (a) PHOTOGRAPHIC IDENTIFICATION.—Section 8 of
 11 the National Voter Registration Act of 1993 (42 U.S.C.
 12 1973gg–6) is amended—

13 (1) by redesignating subsection (j) as sub-
 14 section (k); and

15 (2) by inserting after subsection (i) the fol-
 16 lowing new subsection:

17 “(j) PERMITTING STATES TO REQUIRE VOTERS TO
 18 PRODUCE PHOTO IDENTIFICATION.—A State may require
 19 an individual to produce a valid photographic identifica-
 20 tion before receiving a ballot for voting in an election for
 21 Federal office.”.

22 (b) SIGNATURE.—Section 8 of such Act (42 U.S.C.
 23 1973gg–6), as amended by subsection (a), is amended—

24 (1) by redesignating subsection (k) as sub-
 25 section (l); and

1 (2) by inserting after subsection (j) the fol-
 2 lowing new subsection:

3 “(k) PERMITTING STATES TO REQUIRE VOTERS TO
 4 PROVIDE SIGNATURE.—A State may require an individual
 5 to provide the individual’s signature (in the presence of
 6 an election official at the polling place) before receiving
 7 a ballot for voting in an election for Federal office, other
 8 than an individual who is unable to provide a signature
 9 because of illiteracy or disability.”.

10 **SEC. 705. REPEAL OF REQUIREMENT THAT STATES PERMIT**
 11 **REGISTRANTS CHANGING RESIDENCE TO**
 12 **VOTE AT POLLING PLACE FOR FORMER AD-**
 13 **DRESS.**

14 Section 8(e)(2) of the National Voter Registration
 15 Act of 1993 (42 U.S.C. 1973gg-6(e)(2)) is amended—

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

18 (2) by striking “election, at the option of the
 19 registrant—” and all that follows and inserting the
 20 following: “election shall be permitted to correct the
 21 voting records for purposes of voting in future elec-
 22 tions at the appropriate polling place for the current
 23 address and, if permitted by State law, shall be per-
 24 mitted to vote in the present election, upon con-

- 1 firmation by the registrant of the new address by
- 2 such means as are required by law.”.

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