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**Campaign Finance Bills Including
McCain-Feingold [1]**

Side-by-Side Comparison of Key Provisions in Leading Campaign Finance Reform Proposals

	McCain Feingold (S.25)	Shays Meehan (H.R. 493)	Daschle (S.11)	Farr (H.R. 600)
Voluntary Spending Limits	<ul style="list-style-type: none"> • General election limits range from \$950,000 to \$5.5 million. Exact amount within the range determined by formula based on a state's voting age population. • Primary election limit is the lesser of 67% of general election limit or \$2.75 million. • Runoff limit is 20% of general election limit. • General and primary limits are indexed. • Exceptions allowed for taxes; • Exceptions allowed for independent expenditures and non-complying candidate expenditures (see below). 	<ul style="list-style-type: none"> • \$600,000 per House election cycle. • Election limit increased by 30% if the candidate wins primary with less than 10% of the vote. • Runoff limits is 20% of general election limit; • Election limit is indexed. 	<ul style="list-style-type: none"> • General election limits range from \$1.2 million to \$5.5 million. Exact amount within the range determined by formula based on a state's voting age population. • Primary election limit is the lesser of 67% of general election limit or \$2.75 million. • Runoff limit is 20% of general election limit. • General and primary limits are indexed. • Exceptions allowed for legal and accounting fund and taxes; • Exceptions allowed for independent expenditures and non-complying candidate spending (see below). 	<ul style="list-style-type: none"> • \$600,000 spending limit per 2-year cycle. • Special election limits of \$600,000 • An additional \$200,000 may be spent in the general election by a candidate who won primary by 20% or less. • An additional \$200,000 may be spent by a candidate who must face a runoff election after a primary and before a general election. • A candidate may make additional expenditures aggregating not more than \$200,000 in the election cycle if the candidate wins a contested primary election by a margin of 20% or less. • Exemptions from limits when a non-participating opponent raises or spends more than 30% of the cycle limit. • General and primary limits are indexed.

<p>Incentives for Candidates who Comply with Voluntary Spending Limits</p>	<ul style="list-style-type: none"> •30 minutes of free, prime time broadcast time; •all other radio and television broadcast time purchased within 30 days of the primary election and 60 days of the general election provided at 50% of lowest rate charged; • reduced mailing rates (3rd class special non-profit rate) for two mailings to entire state voting age population. 	<ul style="list-style-type: none"> •Radio and television broadcast time purchased within 30 days of the primary election and 60 days of the general election provided at 50% of lowest rate charged; • reduced mailing rates (3rd class special non-profit rate) for three mailings to voting age population of the Congressional district. 	<ul style="list-style-type: none"> •Radio and television broadcast time purchased within 30 days of the primary election and 60 days of the general election provided at 50% of lowest rate charged; • reduced mailing rates (3rd class special non-profit rate) for two mailings to entire state voting age population. • Funding from Secretary of the Senate to offset non-complying candidate expenditures. 	<ul style="list-style-type: none"> •Broadcast time purchased provided at 50% of the lowest rate in the last 30 days of a primary and in the last 60 days of a general election period; •broadcaster will be exempted from requirements if their signal is nationwide or if the requirement would impose economic hardship on the licensee; •makes campaigns of participating candidates eligible for 3rd class, bulk, non-profit rate mailings, with no limits on the dollar amount or value of the postage purchased at this rate under this provision.
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<p>Disincentives for Candidates who do not comply with Voluntary Spending Limits</p>	<ul style="list-style-type: none"> • Complying candidates have individual contribution limits raised from \$1,000 per election to \$2,000 per election. • Non-complying candidates receive no reduction in rates for broadcast advertisements. • Complying candidates allowed to raise and spend up to twice the spending limits (and still retain incentives) if non-candidates who exceeds spending cap. • Fines and repayment for complying candidates who exceed limits. 	<ul style="list-style-type: none"> • Complying candidates have individual contribution limits raised from \$1,000 per election to \$2,000 per election. • Complying candidates allowed to raise and spend up to twice the spending limits (and still retain incentives) if non-candidate exceeds spending cap. • Fines and repayment for complying candidates who exceed limits. 	<ul style="list-style-type: none"> • Complying candidates have individual contribution limits raised from \$1,000 per election to \$2,000 per election. • Complying candidates can receive (and spend) up to twice the spending limits (and still retain incentives) if non-complying candidate exceeds spending cap by more than 200%. • If non-complying candidate exceeds cap by more than 200% complying candidate may raise and spend an additional amount of up to 100% of spending cap. • Fines and repayment for complying candidates who exceed limits. 	<ul style="list-style-type: none"> • Non-participating candidates who raise or spend more than 30% of the cycle limits must file report with the FEC, which must then notify other candidates within 48 hours; • imposes 35% tax on contributions of principal campaign committees whose candidates exceed the spending limits; • revenues from this provision shall be directed to the FEC for compliance activities. • Non-participating candidates shall not be entitled to the lowest rate for TV broadcast time.
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<p>Qualification Requirements for Complying Candidates</p>	<ul style="list-style-type: none"> •Statement vowing compliance with all limits. • Raise 10% of general election limit or \$250,000 from individuals without counting personal funds or out-of-state contributions that exceed 40% of general election limit. 	<ul style="list-style-type: none"> •Statement vowing compliance with all limits. • Raise 10% of general election limit (\$60,000) from individuals with only the first \$200 of each contribution counting toward the threshold and 60% of threshold amount (\$36,000) raised from in-state contributors. 	<ul style="list-style-type: none"> •Statement vowing compliance with all limits. Raise 5% of general election limits from individuals. 	<ul style="list-style-type: none"> •Statement vowing compliance with all limits. •Raise 10% of general election limit counting only the first \$200 in contributions from individuals; •No public benefits to candidates who do not use closed captioning in TV ads. •Violation of any of the spending limits makes a candidate ineligible for public benefits.
<p>Limit on Individual PAC Contributions to Candidates</p>	<p>Bans PACs but if ban is unconstitutional, then current \$5,000 per election limit t a candidate reduced to \$1,000.</p>	<p>Current \$5,000 per election PAC limit to a candidate reduced to \$1,000.</p>	<ul style="list-style-type: none"> •Bans PACs but if ban unconstitutional, then current \$5,000 per election limit remains unchanged. • Lowers an individual's contribution to a PAC from \$5,000 to \$1,000. 	<p>Sets a maximum limit of \$8,000 from a single PAC per cycle;</p> <ul style="list-style-type: none"> •\$5,000 of which is allowed for one election. •eliminates Leadership PACs.
<p>Aggregate PAC Contribution Limits</p>	<ul style="list-style-type: none"> •If PAC ban struck down, complying candidates can raise no more than 20% of spending limit from PACs. 	<ul style="list-style-type: none"> •Complying candidates can raise no more than 25% (\$150,000) of spending limits from PACs). 	<p>No provision</p>	<ul style="list-style-type: none"> •Limit of \$200,000 per cycle from all PAC sources; •PAC receipts limit is 33 1/3% of spending limit, plus an extra \$100,000 if runoff and \$66,600 if close primary winner.

<p>Aggregate Limit on Individual Contributions to Candidates</p>	<p>No provision</p>	<ul style="list-style-type: none"> • Complying candidates can raise no more than 25% (\$150,000) of spending limit from contributions greater than \$250. 	<p>No provision</p>	<ul style="list-style-type: none"> •changes aggregate limit to election cycle basis; •raises limit to \$100,000, of which no more than \$25,000 may go to candidates per year.
<p>In-state/Out-of-state Contribution Limits</p>	<ul style="list-style-type: none"> •Complying candidates must raise 60% of spending limits from in-state individual contributors. • Small states exception would allow this requirement to be met if 60% of all contributors reside in-state. 	<ul style="list-style-type: none"> •Complying candidates must raise 60% of spending limit from in-state, individual contributors. 	<p>No provision</p>	<p>No provision</p>
<p>Use of Personal Funds</p>	<ul style="list-style-type: none"> •Complying candidates limited to the lesser of \$250,000 or 10% of general election spending limit. 	<ul style="list-style-type: none"> •Complying candidate limited to 10% of general election limit (\$60,000) 	<ul style="list-style-type: none"> •Complying candidates limited to \$25,000 per cycle. 	<ul style="list-style-type: none"> •Complying candidates limited to \$50,000 per cycle.

<p>Independent Expenditures</p>	<ul style="list-style-type: none"> •If more than \$10,000 in independent expenditures is made against a complying candidate, the complying candidate may spend an equal amount without violating spending caps. • Strict reporting and disclosure requirements in making independent expenditures. • Clarifies that independent expenditures must be truly independent (especially with respect to political parties) and broadens the definition of express advocacy to include all campaign-related communications. 	<ul style="list-style-type: none"> •If more than \$25,000 in independent expenditures is made against a complying candidate, the complying candidate may raise and spend an equal amount without violating spending caps. • Strict reporting and disclosure requirements in making independent expenditures. • Clarifies that independent expenditures must be truly independent (especially with respect to political parties) and broadens the definition of express advocacy to include all campaign-related communications. 	<ul style="list-style-type: none"> •If independent expenditures are made against a complying candidate, the complying candidate may receive (and spend) an equal amount without violating spending caps. • Strict reporting and disclosure requirements in making independent expenditures. • Clarifies that independent expenditures must be truly independent (especially with respect to political parties) and broadens the definition of express advocacy to include all campaign-related communications. •Broadcasters must provide adjacent broadcast time for candidates to respond to independent expenditures. 	<ul style="list-style-type: none"> •If more than \$2,500 in independent expenditures is made against a complying candidate, the complying candidate may spend additional funds without regard to the spending limits cap •party committees can match independent expenditures without the expenditure counting against that party's contribution limit to the candidate. •Clarifies the definition of independent expenditures to contain express advocacy and independent with respect to political parties.
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Soft Money	<ul style="list-style-type: none"> •Eliminates the use of soft money in federal elections. • No national or state party committee, may solicit, receive, or spend any funds to impact a federal election which are not subject to current federal law limitations. • Provides for state party grassroots funds for voter registration, GOTV, sample ballots and voter files. •Increases individual aggregate contribution limit from \$25,000 per year to \$30,000 per year to allow funding for grassroots fund. 	<ul style="list-style-type: none"> •Eliminates the use of soft money in federal elections. • No national or state party committee, may solicit, receive, or spend any funds to impact a federal election which are not subject to current federal law limitations. • Increases individual aggregate contribution limit to parties from \$20,000 to \$25,000 per year. 	<ul style="list-style-type: none"> •Eliminates the use of soft money in federal elections. • No national or state party committee, may solicit, receive, or spend any funds to impact a federal election which are not subject to current federal law limitations. • Provides for state party grassroots funds for voter registration, GOTV, sample ballots and voter files. <p>Individual aggregate limits increased to \$60,000/year with no more than \$25,000/year for individual candidates;</p> <ul style="list-style-type: none"> • \$20,000/year for state parties and state grassroots funds combined, and \$20,000/year for national parties. 	<ul style="list-style-type: none"> •Eliminates the use of soft money in federal elections. •creates a new separate segregated fund established and maintained by state political party committee for making expenditures in connection with federal elections. •national and congressional party committee must disclose all financial activity; •political committees must maintain a non-federal account and must disclose all financial activity including separate schedules for State Party Grassroots Funds; •prohibits federal candidates or officeholders from raising any money for a tax exempt group which they establish, maintain, or control, and which devotes significant activities to voter registration and GOTV drives.
Foreign Money	<ul style="list-style-type: none"> •Individuals not qualified to vote are prohibited from making contributions to federal candidates. 	<ul style="list-style-type: none"> •Individuals not qualified to vote are prohibited from making contributions to federal candidates. 	<ul style="list-style-type: none"> • Foreign nationals and permanent residents prohibited from directing contributions. • Minors' contributions count against parents' limits. 	<ul style="list-style-type: none"> •Foreign nationals prohibited from directing contributions •Minors' contributions count against parents' limits.

Bundling	Bans bundling	Bans Bundling	No provision	Bans all bundling except for non-affiliated, non-connected PACs that do not lobby.
Franked Mail	<ul style="list-style-type: none"> •Bans franked mass mailings during an election year. 	<ul style="list-style-type: none"> •Bans franked mass mailings during an election year. 	<ul style="list-style-type: none"> •Bans franked mass mailings during an election year. 	No provision
FEC Enforcement Provisions	<ul style="list-style-type: none"> •FEC random audit authority. •FEC injunctive authority. •Electronic filing. •FEC expedited procedures authority. Increase penalties for willful violations. 	<ul style="list-style-type: none"> •FEC random audit authority. •FEC injunctive authority. •Electronic filing. FEC independent litigation authority •FEC expedited procedures authority •Increase penalties for willful violations. 	<ul style="list-style-type: none"> •FEC random audit authority. •FEC injunctive authority. •Electronic filing. FEC independent litigation authority •FEC expedited procedures authority •Increase penalties for willful violations. 	<ul style="list-style-type: none"> •FEC random audit authority. •FEC injunctive authority. •Electronic filing. FEC independent litigation authority •FEC expedited procedures authority •Increase penalties for willful violations.

105TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To reform the Federal election campaign laws applicable
to Congress.

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.**

4 (a) **SHORT TITLE.**—This title may be cited as the
5 “Congressional Election Campaign Spending Limit and
6 Reform Act of 1997”.

7 (b) **TABLE OF CONTENTS.**—

Sec. 1. Short title.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

Sec. 101. Senate spending limits and benefits.

Sec. 102. Ban on activities of political action committees in senate elections.

- Sec. 103. Reporting requirements.
- Sec. 104. Disclosure by candidates other than eligible senate candidates.
- Sec. 105. Excess campaign funds of senate candidates.
- Sec. 106. Contribution limit for eligible senate candidates.

Subtitle B—General Provisions

- Sec. 111. Broadcast rates and preemption.
- Sec. 112. Reporting requirements for certain independent expenditures.
- Sec. 113. Campaign advertising amendments.
- Sec. 114. Definitions.
- Sec. 115. Provisions relating to franked mass mailings.

TITLE II—INDEPENDENT EXPENDITURES

- Sec. 201. Definition of independent expenditure.
- Sec. 202. Independent versus coordinated expenditures by political party committees.
- Sec. 203. Treatment of qualified nonprofit corporations.
- Sec. 204. Equal broadcast time.

TITLE III—EXPENDITURES

Subtitle A—Personal Funds; Credit

- Sec. 301. Contributions and loans from personal funds.
- Sec. 302. Extensions of credit.

Subtitle B—Soft Money of Political Parties

- Sec. 311. Preparation and distribution by volunteers of materials in connection with State and local political party voter registration and get-out-the-vote activities so as not to be considered a contribution or expenditure.
- Sec. 312. Contributions to political party committees.
- Sec. 313. Provisions relating to national, State, and local party committees.
- Sec. 314. Restrictions on fundraising by candidates and officeholders.
- Sec. 315. Reporting requirements.

Subtitle C—Soft Money of Persons Other Than Political Parties

- Sec. 321. Soft money of persons other than political parties.

TITLE IV—CONTRIBUTIONS

- Sec. 401. Prohibition of certain contributions by lobbyists.
- Sec. 402. Contributions by dependents not of voting age.
- Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.
- Sec. 404. Contributions and expenditures using money secured by physical force or other intimidation.
- Sec. 405. Prohibition of acceptance by a candidate of cash contributions from any one person aggregating more than \$100.

TITLE V—AUTHORITIES AND DUTIES OF THE FEDERAL ELECTION COMMISSION

- Sec. 501. Filing of reports using computers and facsimile machines.
- Sec. 502. Increase in threshold for reporting requirements.

- Sec. 503. Audits.
- Sec. 504. Authority to seek injunction.
- Sec. 505. Penalties.
- Sec. 506. Independent litigating authority.
- Sec. 507. Reference of suspected violation to the attorney general.
- Sec. 508. Powers of the commission.

TITLE VI—MISCELLANEOUS

- Sec. 601. Prohibition of leadership committees.
- Sec. 602. Telephone voting by persons with disabilities.
- Sec. 603. Certain tax-exempt organizations not subject to corporate limits.
- Sec. 604. Aiding and abetting violations of the Federal election campaign act of 1971.
- Sec. 605. Campaign advertising that refers to an opponent.
- Sec. 606. Limit on congressional use of the franking privilege.
- Sec. 607. Participation by foreign nationals in political activities.
- Sec. 608. Certification of compliance with foreign contribution and solicitation limitations.

TITLE VII—EFFECTIVE DATES; AUTHORIZATIONS

- Sec. 701. Effective date.
- Sec. 702. Budget neutrality.
- Sec. 703. Severability.
- Sec. 704. Expedited review of constitutional issues.
- Sec. 705. Regulations.

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

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

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

8 (a) IN GENERAL.—The Federal Election Campaign
 9 Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding
 10 at the end the following:

1 **“TITLE V—SPENDING LIMITS**
2 **AND BENEFITS FOR SENATE**
3 **ELECTION CAMPAIGNS**

4 **“SEC. 501. DEFINITIONS.**

5 “In this title:

6 “(1) **ELIGIBLE SENATE CANDIDATE.**—The term
7 ‘eligible Senate candidate’ means a candidate who is
8 certified under section 505 as being eligible to re-
9 ceive benefits under this title.

10 “(2) **EXCESS EXPENDITURE AMOUNT.**—The
11 term ‘excess expenditure amount’, with respect to an
12 eligible Senate candidate, means the amount applica-
13 ble to the eligible Senate candidate under section
14 504(b).

15 “(3) **EXPENDITURE.**—The term ‘expenditure’
16 has the meaning given in paragraph (9) of section
17 301, excluding subparagraph (B)(ii) of that para-
18 graph.

19 “(4) **GENERAL ELECTION EXPENDITURE**
20 **LIMIT.**—The term ‘general election expenditure
21 limit’, with respect to an eligible Senate candidate,
22 means the limit applicable to the eligible Senate can-
23 didate under section 503(b).

1 “(5) PERSONAL FUNDS EXPENDITURE LIMIT.—

2 The term ‘personal funds expenditure limit’ means
3 the limit stated in section 503(a).

4 “(6) PRIMARY ELECTION EXPENDITURE
5 LIMIT.—The term ‘primary election expenditure
6 limit’, with respect to an eligible Senate candidate,
7 means the limit applicable to the eligible Senate can-
8 didate under section 502(d)(1)(A).

9 “(7) RUNOFF ELECTION EXPENDITURE
10 LIMIT.—The term ‘runoff election expenditure limit’,
11 with respect to an eligible Senate candidate, means
12 the limit applicable to the eligible Senate candidate
13 under section 502(d)(1)(B).

14 **“SEC. 502. ELIGIBLE SENATE CANDIDATES.**

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

17 “(1) files a primary election eligibility declara-
18 tion under subsection (b) and is in compliance with
19 the representations made in the declaration;

20 “(2) files a general election eligibility certifi-
21 cation and declaration under subsection (c) and is in
22 compliance with the representations made in the cer-
23 tification and declaration; and

24 “(3) meets the threshold contribution require-
25 ments of subsection (e).

1 “(b) PRIMARY ELECTION ELIGIBILITY DECLARA-
2 TION.—

3 “(1) IN GENERAL.—The requirements of this
4 subsection are met if the candidate files with the
5 Secretary of the Senate a declaration that—

6 “(A) the candidate and the candidate’s au-
7 thorized committees—

8 “(i) will meet the primary and runoff
9 election expenditure limits of subsection
10 (d); and

11 “(ii) will accept only an amount of
12 contributions for the primary and runoff
13 elections that does not exceed those limits;

14 “(B) the candidate and the candidate’s au-
15 thorized committees will meet the personal
16 funds expenditure limit;

17 “(C) the candidate and the candidate’s au-
18 thorized committees will meet the general elec-
19 tion expenditure limit; and

20 “(D) the candidate and the candidate’s au-
21 thorized committees will meet the closed cap-
22 tioning requirements of section 510.

23 “(2) DEADLINE FOR FILING DECLARATION.—
24 The declaration under paragraph (1) shall be filed

1 not later than the date on which the candidate files
2 as a candidate for the primary election.

3 “(c) GENERAL ELECTION ELIGIBILITY CERTIFI-
4 CATION AND DECLARATION.—

5 “(1) IN GENERAL.—The requirements of this
6 subsection are met if the candidate files with the
7 Secretary of the Senate—

8 “(A) a certification, under penalty of per-
9 jury, that—

10 “(i) the candidate and the candidate’s
11 authorized committees—

12 “(I) met the primary and runoff
13 election expenditure limits under sub-
14 section (d); and

15 “(II) did not accept contributions
16 for the primary or runoff election in
17 excess of the primary or runoff ex-
18 penditure limit under subsection (d),
19 whichever is applicable, reduced by
20 any amounts transferred to the cur-
21 rent election cycle from a preceding
22 election cycle;

23 “(ii) the candidate met the threshold
24 contribution requirement under subsection
25 (e), and that only allowable contributions

1 were taken into account in meeting such
2 requirement; and

3 “(iii) at least 1 other candidate has
4 qualified for the same general election bal-
5 lot under the law of the candidate’s State;
6 and

7 “(B) a declaration that the candidate and
8 the authorized committees of the candidate—

9 “(i) except as otherwise provided by
10 this title, will not make expenditures that
11 exceed the general election expenditure
12 limit;

13 “(ii) will not accept any contributions
14 in violation of section 315;

15 “(iii) except as otherwise provided by
16 this title, will not accept any contribution
17 for the general election to the extent that
18 the contribution would cause the aggregate
19 amount of contributions to exceed the sum
20 of the amount of the general election ex-
21 penditure limit and the amounts described
22 in subsections (c), (d), and (e) of section
23 503, reduced by any amounts transferred
24 to the current election cycle from a pre-

1 various election cycle and not taken into ac-
2 count under subparagraph (A)(ii)(II);

3 “(iv) will deposit all payments re-
4 ceived under this title in an account in-
5 sured by the Federal Deposit Insurance
6 Corporation from which funds may be
7 withdrawn by check or similar means of
8 payment to third parties;

9 “(v) will furnish campaign records,
10 evidence of contributions, and other appro-
11 priate information to the Commission;

12 “(vi) will cooperate in the case of any
13 audit and examination by the Commission
14 under section 506 and will pay any
15 amounts required to be paid under that
16 section; and

17 “(vii) will meet the closed captioning
18 requirements of section 510.

19 “(2) DEADLINE FOR FILING CERTIFICATION.—
20 The certification under paragraph (1) shall be filed
21 not later than 7 days after the earlier of—

22 “(A) the date on which the candidate
23 qualifies for the general election ballot under
24 State law; or

1 “(B) if, under State law, a primary or run-
2 off election to qualify for the general election
3 ballot occurs after September 1, the date on
4 which the candidate wins the primary or runoff
5 election.

6 “(d) PRIMARY AND RUNOFF EXPENDITURE LIM-
7 ITS.—

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

10 “(A) the candidate or the candidate’s au-
11 thorized committees did not make expenditures
12 for the primary election in excess of the lesser
13 of—

14 “(i) 67 percent of the general election
15 expenditure limit; or

16 “(ii) \$2,750,000; and

17 “(B) the candidate and the candidate’s au-
18 thorized committees did not make expenditures
19 for any runoff election in excess of 20 percent
20 of the general election expenditure limit.

21 “(2) INDEXING.—The \$2,750,000 amount
22 under paragraph (1)(A)(ii) shall be increased as of
23 the beginning of each calendar year based on the in-
24 crease in the price index determined under section

1 315(c), except that the base period shall be calendar
2 year 1996.

3 “(3) INCREASE.—The limitations under sub-
4 paragraphs (A) and (B) of paragraph (1) with re-
5 spect to any candidate shall be increased by the ag-
6 gregate amount of independent expenditures in op-
7 position to, or on behalf of any opponent of, the can-
8 didate during the primary or runoff election period,
9 whichever is applicable, that are required to be re-
10 ported to the Secretary of the Senate or to the Com-
11 mission with respect to that period under section
12 304.

13 “(4) EXCESS AMOUNT OF CONTRIBUTIONS.—

14 “(A) IN GENERAL.—If the contributions
15 received by a candidate or the candidate’s au-
16 thorized committees for the primary election or
17 runoff election exceed the expenditures for ei-
18 ther election—

19 “(i) the excess amount of contribu-
20 tions shall be treated as contributions for
21 the general election; and

22 “(ii) expenditures for the general elec-
23 tion may be made from the excess amount
24 of contributions.

1 “(B) APPLICABLE PERIOD.—The term ‘ap-
2 plicable period’ means—

3 “(i) the period beginning on January
4 1 of the calendar year preceding the cal-
5 endar year of a general election and ending
6 on—

7 “(I) the date on which the certifi-
8 cation under subsection (c) is filed by
9 the candidate; or

10 “(II) for purposes of subsections
11 (b) and (c) of section 504, the date of
12 the general election; or

13 “(ii) in the case of a special election
14 for the office of United States Senator, the
15 period beginning on the date on which the
16 vacancy in the office occurs and ending on
17 the date of the general election.

18 **“SEC. 503. LIMIT ON EXPENDITURES.**

19 “(a) PERSONAL FUNDS EXPENDITURE LIMIT.—

20 “(1) IN GENERAL.—The aggregate amount of
21 expenditures that may be made during an election
22 cycle by an eligible Senate candidate or the can-
23 didate’s authorized committees from the sources de-
24 scribed in paragraph (2) shall not exceed \$25,000.

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

3 “(A) personal funds of the candidate or a
4 member of the candidate’s immediate family; or

5 “(B) proceeds of indebtedness incurred by
6 the candidate or a member of the candidate’s
7 immediate family.

8 “(b) GENERAL ELECTION EXPENDITURE LIMIT.—

9 “(1) IN GENERAL.—Except as otherwise pro-
10 vided in this title, the aggregate amount of expendi-
11 tures for a general election by an eligible Senate
12 candidate and the candidate’s authorized committees
13 shall not exceed the lesser of—

14 “(A) \$5,500,000; or

15 “(B) the greater of—

16 “(i) \$1,200,000; or

17 “(ii) \$400,000; plus

18 “(I) 30 cents multiplied by the
19 voting age population not in excess of
20 4,000,000; and

21 “(II) 25 cents multiplied by the
22 voting age population in excess of
23 4,000,000.

24 “(2) EXCEPTION.—In the case of an eligible
25 Senate candidate in a State that has not more than

1 1 transmitter for a commercial Very High Fre-
2 quency (VHF) television station licensed to operate
3 in that State, paragraph (1)(B)(ii) shall be applied
4 by substituting—

5 “(A) ‘92 cents’ for ‘30 cents’ in subclause
6 (I); and

7 “(B) ‘90 cents’ for ‘25 cents’ in subclause
8 (II).

9 “(3) INDEXING.—The amount otherwise deter-
10 mined under paragraph (1) for any calendar year
11 shall be increased by the same percentage as the
12 percentage increase for the calendar year under sec-
13 tion 502(d)(2).

14 “(e) LEGAL AND ACCOUNTING COMPLIANCE
15 FUND.—

16 “(1) IN GENERAL.—The general election ex-
17 penditure limit, shall not apply to qualified legal or
18 accounting expenditures made by a candidate or the
19 candidate’s authorized committees or a Federal of-
20 ficeholder from a legal and accounting compliance
21 fund meeting the requirements of paragraph (2).

22 “(2) REQUIREMENTS.—A legal and accounting
23 compliance fund meets the requirements of this
24 paragraph if—

1 “(A) the fund is established with respect to
 2 qualified legal or accounting expenditures in-
 3 curred with respect to a particular election;

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

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

11 “(i) the lesser of—

12 “(I) 15 percent of the general
 13 election expenditure limit for the elec-
 14 tion for which the fund was estab-
 15 lished; or

16 “(II) \$300,000; plus

17 “(ii) the amount determined under
 18 paragraph (4); and

19 “(D) no funds received by the candidate
 20 under section 504(a)(3) are transferred to the
 21 fund.

22 “(3) DEFINITION OF QUALIFIED LEGAL OR AC-
 23 COUNTING EXPENDITURE.—For purposes of this
 24 subsection, the term ‘qualified legal or accounting
 25 expenditure’ means—

1 “(A) an expenditure for costs of legal or
2 accounting services provided in connection
3 with—

4 “(i) an administrative or court pro-
5 ceeding initiated under this Act for the
6 election for which the legal and accounting
7 fund was established; or

8 “(ii) the preparation of a document or
9 report required by this Act or by the Com-
10 mission;

11 “(B) an expenditure for legal or account-
12 ing service provided in connection with the elec-
13 tion cycle for which the legal and accounting
14 compliance fund was established to ensure com-
15 pliance with this Act with respect to the elec-
16 tion cycle.

17 “(4) INCREASE.—

18 “(A) PETITION.—If, after a general elec-
19 tion, primary election, or runoff election, a can-
20 didate determines that qualified legal or ac-
21 counting expenditures will exceed the limit
22 under paragraph (2)(C)(i), the candidate may
23 petition the Commission for an increase in the
24 limit by filing the petition with the Secretary of
25 the Senate.

1 “(B) DETERMINATION.—The Commission
2 shall authorize an increase in the limit under
3 paragraph (2)(C)(i) in the amount (if any) by
4 which the Commission determines the qualified
5 legal or accounting expenditures exceed the
6 limit.

7 “(C) JUDICIAL REVIEW.—A determination
8 under subparagraph (B) shall be subject to ju-
9 dicial review under section 507.

10 “(D) CONTRIBUTIONS AND EXPENDITURES
11 NOT COUNTED.—Except as provided in section
12 315, a contribution received or expenditure
13 made under this paragraph shall not be counted
14 against any contribution or expenditure limit
15 applicable to the candidate under this title.

16 “(5) TREATMENT.—Funds in a legal and ac-
17 counting compliance fund shall be treated for pur-
18 poses of this Act as a separate segregated fund, ex-
19 cept that any portion of the fund not used to pay
20 qualified legal or accounting expenditures, and not
21 transferred to a legal and accounting compliance
22 fund for the election cycle for the next general elec-
23 tion, shall be treated in the same manner as other
24 campaign funds for purposes of section 313(b).

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

5 “(e) CERTAIN EXPENSES.—In the case of an eligible
6 Senate candidate who holds a Federal office, the limitation
7 under subsection (b) shall not apply to ordinary and nec-
8 essary expenses of travel of the candidate and the can-
9 didate’s spouse and children between Washington, District
10 of Columbia, and the candidate’s State in connection with
11 the candidate’s activities as a holder of Federal office.

12 **“SEC. 504. BENEFITS FOR ELIGIBLE SENATE CANDIDATES.**

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

15 “(1) the broadcast media rates provided under
16 section 315(b) of the Communications Act of 1934;
17 and

18 “(2) payments in an amount equal to—

19 “(A) the excess expenditure amount deter-
20 mined under subsection (b); and

21 “(B) the independent expenditure amount
22 determined under subsection (c).

23 “(b) EXCESS EXPENDITURE AMOUNT.—

24 “(1) DETERMINATION.—The excess expenditure
25 amount is—

1 “(A) in the case of a major party can-
2 didate, an amount equal to the sum of—

3 “(i) if the opponent’s excess is less
4 than $33\frac{1}{3}$ percent of the general election
5 expenditure limit, an amount equal to one-
6 third of the general election expenditure
7 limit; plus

8 “(ii) if the opponent’s excess equals or
9 exceeds $33\frac{1}{3}$ percent but is less than $66\frac{2}{3}$
10 percent of the general election expenditure
11 limit, an amount equal to one-third of the
12 general election expenditure limit; plus

13 “(iii) if the opponent’s excess equals
14 or exceeds $66\frac{2}{3}$ percent of the general
15 election expenditure limit, an amount equal
16 to one-third of the general election expend-
17 iture limit; and

18 “(B) in the case of an eligible Senate can-
19 didate who is not a major party candidate, an
20 amount equal to the least of—

21 “(i) the amount of allowable contribu-
22 tions accepted by the eligible Senate can-
23 didate during the applicable period in ex-
24 cess of the threshold contribution require-
25 ment under section 502(e);

1 “(ii) 50 percent of the general election
2 expenditure limit; or

3 “(iii) the opponent’s excess.

4 “(2) DEFINITION OF OPPONENT’S EXCESS.—In
5 this subsection, the term ‘opponent’s excess’ means
6 the amount by which an opponent of an eligible Sen-
7 ate candidate in the general election accepts con-
8 tributions or makes (or obligates to make) expendi-
9 tures for the election in excess of the general elec-
10 tion expenditure limit.

11 “(c) INDEPENDENT EXPENDITURE AMOUNT.—The
12 independent expenditure amount is the total amount of
13 independent expenditures made, or obligated to be made,
14 during the general election period by 1 or more persons
15 in opposition to, or on behalf of an opponent of, an eligible
16 Senate candidate that are required to be reported by the
17 persons under section 304(d) with respect to the general
18 election period and are certified by the Commission under
19 section 304(d).

20 “(d) WAIVER OF EXPENDITURE AND CONTRIBUTION
21 LIMITS.—

22 “(1) RECIPIENTS OF EXCESS EXPENDITURE
23 AMOUNT PAYMENTS AND INDEPENDENT EXPENDI-
24 TURE AMOUNT PAYMENTS.—

1 “(A) IN GENERAL.—An eligible Senate
2 candidate who receives payments under sub-
3 section (a)(2) may make expenditures from the
4 payments for the general election without re-
5 gard to the general election expenditure limit.

6 “(B) NONMAJOR PARTY CANDIDATES.—In
7 the case of an eligible Senate candidate who is
8 not a major party candidate, the general elec-
9 tion expenditure limit shall be increased by the
10 amount (if any) by which the opponent’s excess
11 expenditure amount exceeds the amount deter-
12 mined under subsection (b)(2)(B) with respect
13 to the candidate.

14 “(2) ALL BENEFIT RECIPIENTS.—

15 “(A) IN GENERAL.—An eligible Senate
16 candidate who receives benefits under this sec-
17 tion may make expenditures for the general
18 election without regard to the personal funds
19 expenditure limit or general election expendi-
20 ture limit if any 1 of the eligible Senate can-
21 didate’s opponents who is not an eligible Senate
22 candidate raises an amount of contributions or
23 makes or becomes obligated to make an amount
24 of expenditures for the general election that ex-

1 ceeds 200 percent of the general election ex-
2 penditure limit.

3 “(B) LIMITATION.—The amount of the ex-
4 penditures that may be made by reason of sub-
5 paragraph (A) shall not exceed 100 percent of
6 the general election expenditure limit.

7 “(3) ACCEPTANCE OF CONTRIBUTION WITHOUT
8 REGARD TO SECTION 502(C)(1)(D)(III).—

9 “(A) A candidate who receives benefits
10 under this section may accept a contribution for
11 the general election without regard to section
12 502(c)(1)(D)(iii) if—

13 “(i) a major party candidate in the
14 same general election is not an eligible
15 Senate candidate; or

16 “(ii) any other candidate in the same
17 general election who is not an eligible Sen-
18 ate candidate raises an amount of con-
19 tributions or makes or becomes obligated
20 to make an amount of expenditures for the
21 general election that exceeds 75 percent of
22 the general election expenditure limit appli-
23 cable to such other candidate.

24 “(B) LIMITATION.—The amount of con-
25 tributions that may be received by reason of

1 subparagraph (A) shall not exceed 100 percent
2 of the general election expenditure limit.

3 “(e) USE OF PAYMENTS.—

4 “(1) PERMITTED USE.—Payments received by
5 an eligible Senate candidate under subsection (a)(2)
6 shall be used to make expenditures with respect to
7 the general election period for the candidate.

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

11 “(A) except as provided in paragraph (4),
12 to make any payments, directly or indirectly, to
13 the candidate or to any member of the imme-
14 diate family of the candidate;

15 “(B) to make any expenditure other than
16 an expenditure to further the general election of
17 the candidate;

18 “(C) to make an expenditure the making
19 of which constitutes a violation of any law of
20 the United States or of the State in which the
21 expenditure is made; or

22 “(D) subject to section 315(i), to repay
23 any loan to any person except to the extent that
24 proceeds of the loan were used to further the
25 general election of the candidate.

1 **“SEC. 505. CERTIFICATION BY THE COMMISSION.**

2 “(a) CERTIFICATION OF STATUS AS ELIGIBLE SEN-
3 ATE CANDIDATE.—

4 “(1) IN GENERAL.—The Commission shall cer-
5 tify to any candidate meeting the requirements of
6 section 502 that the candidate is an eligible Senate
7 candidate entitled to benefits under this title.

8 “(2) REVOCATION.—The Commission shall re-
9 voke a certification under paragraph (1) if the Com-
10 mission determines that a candidate fails to continue
11 to meet the requirements of section 502.

12 “(b) CERTIFICATION OF ELIGIBILITY TO RECEIVE
13 BENEFITS.—

14 “(1) IN GENERAL.—Not later than 48 hours
15 after an eligible Senate candidate files a request
16 with the Secretary of the Senate to receive benefits
17 under section 504, the Commission shall issue a cer-
18 tification stating whether the candidate is eligible for
19 payments under this title and the amount of such
20 payments to which such candidate is entitled.

21 “(2) CONTENTS OF REQUEST.—A request
22 under paragraph (1) shall—

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

1 the candidates have complied with the conditions of
2 eligibility and other requirements of this title.

3 “(2) AFTER A SPECIAL ELECTION.—After each
4 special election in which an eligible Senate candidate
5 was on the ballot, the Commission shall conduct an
6 examination and audit of the campaign accounts of
7 all candidates in the election to determine whether
8 the candidates have complied with the conditions of
9 eligibility and other requirements of this title.

10 “(3) WITH REASON TO BELIEVE THERE MAY
11 HAVE BEEN A VIOLATION.—The Commission may
12 conduct an examination and audit of the campaign
13 accounts of any eligible Senate candidate in a gen-
14 eral election if the Commission determines that there
15 exists reason to believe that the eligible Senate can-
16 didate failed to comply with this title.

17 “(b) EXCESS PAYMENT.—If the Commission deter-
18 mines any payment was made to an eligible Senate can-
19 didate under this title in excess of the aggregate amounts
20 to which the eligible Senate candidate was entitled, the
21 Commission shall notify the eligible Senate candidate, and
22 the eligible Senate candidate shall pay an amount equal
23 to the excess.

24 “(c) REVOCATION OF STATUS.—If the Commission
25 revokes the certification of an eligible Senate candidate as

1 an eligible Senate candidate under section 505(a)(1), the
2 Commission shall notify the eligible Senate candidate, and
3 the eligible Senate candidate shall pay an amount equal
4 to the payments received under this title.

5 “(d) MISUSE OF BENEFIT.—If the Commission de-
6 termines that any amount of any benefit made available
7 to an eligible Senate candidate under this title was not
8 used as provided for in this title, the Commission shall
9 notify the eligible Senate candidate, and the eligible Sen-
10 ate candidate shall pay the amount of that amount.

11 “(e) EXCESS EXPENDITURES.—If the Commission
12 determines that an eligible Senate candidate who received
13 benefits under this title made expenditures that in the ag-
14 gregate exceed the primary election expenditure, the run-
15 off election expenditure limit, or the general election ex-
16 penditure limit, the Commission shall notify the eligible
17 Senate candidate, and the eligible Senate candidate shall
18 pay an amount equal to the amount of the excess expendi-
19 tures.

20 “(f) CIVIL PENALTIES.—

21 “(1) MISUSE OF BENEFIT.—If the Commission
22 determines that an eligible Senate candidate has
23 committed a violation described in subsection (d),
24 the Commission may assess a civil penalty against
25 the eligible Senate candidate in an amount not

1 greater than 200 percent of the amount of the bene-
2 fit that was misused.

3 “(2) EXCESS EXPENDITURES.—

4 “(A) LOW AMOUNT OF EXCESS EXPENDI-
5 TURES.—If the Commission determines that an
6 eligible Senate candidate made expenditures
7 that exceeded by 2.5 percent or less the pri-
8 mary election expenditure limit, the runoff elec-
9 tion expenditure limit, or the general election
10 expenditure limit, the Commission shall assess
11 a civil penalty against the eligible Senate can-
12 didate in an amount equal to the amount of the
13 excess expenditures.

14 “(B) MEDIUM AMOUNT OF EXCESS EX-
15 PENDITURES.—If the Commission determines
16 that an eligible Senate candidate made expendi-
17 tures that exceeded by more than 2.5 percent
18 and less than 5 percent the primary election ex-
19 penditure limit, the runoff election expenditure
20 limit, or the general election expenditure limit,
21 the Commission shall assess a civil penalty
22 against the eligible Senate candidate in an
23 amount equal to 3 times the amount of the ex-
24 cess expenditures.

1 “(C) LARGE AMOUNT OF EXCESS EXPEND-
2 ITURES.—If the Commission determines that an
3 eligible Senate candidate made expenditures
4 that exceeded by 5 percent or more the primary
5 election expenditure limit, the runoff election
6 expenditure limit, or the general election ex-
7 penditure limit, the Commission shall assess a
8 civil penalty against the eligible Senate can-
9 didate in an amount equal to the amount of the
10 excess expenditures an amount equal to the
11 sum of—

12 “(i) 3 times the amount of the excess
13 expenditures plus an additional amount de-
14 termined by the Commission; plus

15 “(ii) if the Commission determines
16 that the exceeding of the expenditure limit
17 was willful, an amount equal to the
18 amount of benefits that the eligible Senate
19 candidate received under this title.

20 “(g) UNEXPENDED FUNDS.—

21 “(1) REPAYMENT.—Subject to paragraph (2),
22 any amount received by an eligible Senate candidate
23 under this title and not expended on or before the
24 date of the general election shall be repaid not later
25 than 30 days after the date of the general election.

1 “(2) RETENTION FOR PURPOSES OF LIQUIDA-
2 TION OF OBLIGATIONS.—An eligible Senate can-
3 didate may retain for a period not exceeding 120
4 days after the date of a general election a reasonable
5 portion of unexpended funds received under this title
6 for the liquidation of all obligations to pay expendi-
7 tures for the general election incurred during the
8 general election period. At the end of the 120-day
9 period, any unexpended funds received under this
10 title shall be promptly repaid.

11 “(h) PAYMENTS RETURNED TO SOURCE.—Any pay-
12 ment, repayment, or civil penalty under this section shall
13 be paid to the entity that afforded benefits under this title
14 to the eligible Senate candidate.

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

19 **“SEC. 507. JUDICIAL REVIEW.**

20 “(a) JUDICIAL REVIEW.—Any agency action by the
21 Commission under this title shall be subject to review by
22 the United States Court of Appeals for the District of Co-
23 lumbia Circuit upon petition filed in that court within 30
24 days after the date of the agency action.

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

6 “(d) APPEALS.—The Commission, on behalf of the
7 United States, may appeal from, and may petition the Su-
8 preme Court for certiorari to review, any judgment or de-
9 cree entered with respect to actions in which the Commis-
10 sion under this section.

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

12 “(a) REPORTS.—

13 “(1) IN GENERAL.—As soon as practicable
14 after each general election, the Commission shall
15 submit a full report to the Senate setting forth—

16 “(A) the expenditures (shown in such de-
17 tail as the Commission determines to be appro-
18 priate) made by each eligible Senate candidate
19 and the authorized committees of the candidate;

20 “(B) the amounts certified by the Commis-
21 sion under section 505 as benefits available to
22 each eligible Senate candidate; and

23 “(C) the amount of repayments, if any, re-
24 quired under section 506 and the reason why
25 each repayment was required.

1 **"SEC. 511. LIMITATIONS ON PAYMENTS.**

2 “(a) PAYMENTS ON CERTIFICATION.—On receipt of
3 a certification from the Commission under section 505, ex-
4 cept as provided in subsection (b), the Secretary shall,
5 subject to the availability of appropriations, promptly pay
6 the amount certified by the Commission to the candidate.

7 “(b) INSUFFICIENT FUNDS.—

8 “(1) WITHHOLDING.—If, at the time of a cer-
9 tification by the Commission under section 505 for
10 payment to an eligible Senate candidate, the Sec-
11 retary determines that there are not, or may not be,
12 sufficient funds to satisfy the full entitlement of all
13 eligible Senate candidates, the Secretary shall with-
14 hold from the amount of the payment such amount
15 as the Secretary determines to be necessary to en-
16 sure that each eligible Senate candidate will receive
17 the same pro rata share of the candidate’s full enti-
18 tlement.

19 “(2) SUBSEQUENT PAYMENT.—Amounts with-
20 held under paragraph (1) shall be paid when the
21 Secretary determines that there are sufficient funds
22 to pay all or a portion of the funds withheld from
23 all eligible Senate candidates, but, if only a portion
24 is to be paid, the portion shall be paid in such a
25 manner that each eligible Senate candidate receives
26 an equal pro rata share.

1 “(3) NOTIFICATION OF ESTIMATED WITHHOLD-
2 ING.—

3 “(A) ADVANCE ESTIMATE OF AVAILABLE
4 FUNDS AND PROJECTED COSTS.—Not later
5 than December 31 of any calendar year preced-
6 ing a calendar year in which there is a regularly
7 scheduled general election, the Secretary, after
8 consultation with the Commission, shall make
9 an estimate of—

10 “(i) the amount of funds that will be
11 available to make payments under this title
12 in the general election year; and

13 “(ii) the costs of implementing this
14 title in the general election year.

15 “(B) NOTIFICATION.—If the Secretary de-
16 termines under subparagraph (A) that there
17 will be insufficient funds for any calendar year,
18 the Secretary shall notify by registered mail
19 each candidate for the Senate on January 1 of
20 that year (or, if later, the date on which an in-
21 dividual becomes such a candidate) of the
22 amount that the Secretary estimates will be the
23 pro rata withholding from each eligible Senate
24 candidate’s payments under this subsection.

1 “(C) INCREASE IN CONTRIBUTION
2 LIMIT.—The amount of an eligible candidate’s
3 contribution limit under section
4 502(c)(1)(D)(iii) shall be increased by the
5 amount of the estimated pro rata withholding
6 under subparagraph (B).

7 “(4) NOTIFICATION OF ACTUAL WITHHOLD-
8 ING.—

9 “(A) IN GENERAL.—The Secretary shall
10 notify the Commission and each eligible Senate
11 candidate by registered mail of any actual re-
12 duction in the amount of any payment by rea-
13 son of this subsection.

14 “(B) GREATER AMOUNT OF WITHHOLD-
15 ING.—If the amount of a withholding exceeds
16 the amount estimated under paragraph (3), an
17 eligible Senate candidate’s contribution limit
18 under section 502(c)(1)(D)(iii) shall be in-
19 creased by the amount of the excess.”.

20 (b) EFFECTIVE DATES.—

21 (1) IN GENERAL.—Except as provided in this
22 subsection, the amendment made by subsection (a)
23 shall apply to elections occurring after December 31,
24 1996.

1 (2) APPLICABILITY TO CONTRIBUTIONS AND
2 EXPENDITURES.—For purposes of any expenditure
3 or contribution limit imposed by the amendment
4 made by subsection (a)—

5 (A) no expenditure made before January 1,
6 1997, shall be taken into account, except that
7 there shall be taken into account any such ex-
8 penditure for goods or services to be provided
9 after that date; and

10 (B) all cash, cash items, and Government
11 securities on hand as of January 1, 1997, shall
12 be taken into account in determining whether
13 the contribution limit is met, except that there
14 shall not be taken into account amounts used
15 during the 60-day period beginning on January
16 1, 1997, to pay for expenditures that were in-
17 curred (but unpaid) before that date.

18 (c) EFFECT OF INVALIDITY ON OTHER PROVISIONS
19 OF TITLE.—If section 502, 503, or 504 of the Federal
20 Election Campaign Act of 1971 (as added by subsection
21 (a)) or any part of those sections is held to be invalid,
22 this Act and all amendments made by this Act shall be
23 treated as invalid.

1 **SEC. 102. BAN ON ACTIVITIES OF POLITICAL ACTION COM-**
2 **MITTEES IN SENATE ELECTIONS.**

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

6 **“SEC. 324. BAN ON SENATE ELECTION ACTIVITIES BY PO-**
7 **LITICAL ACTION COMMITTEES.**

8 “(a) **IN GENERAL.**—Notwithstanding any other pro-
9 vision of this Act, no person other than an individual or
10 a political committee may make contributions, solicit or
11 receive contributions, or make expenditures for the pur-
12 pose of influencing an election, or nomination for election,
13 to the office of United States Senator.

14 “(b) **EXECUTIVE OFFICERS AND ADMINISTRATIVE**
15 **EMPLOYEES.**—In the case of an individual who is an exec-
16 utive officer or administrative employee of an employer—

17 “(1) the individual shall not make a contribu-
18 tion—

19 “(A) to any political committee established
20 and maintained by any political party for use in
21 an election, or nomination for election, to the
22 office of United States Senator; or

23 “(B) to any candidate for nomination for
24 election, or election, to the office of United
25 States Senator or the candidate’s authorized
26 committees;

1 if the contribution is made at the direction of, or is
2 otherwise controlled or influenced by, the employer;
3 and

4 “(2) the individual shall not make any such
5 contribution if the making of the contribution would
6 cause the aggregate amount of contributions made
7 by all executive officers and administrative employ-
8 ees of the employer in any calendar year to exceed—

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

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

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

17 “(9) For the purposes of the limitations under
18 paragraphs (1) and (2), any political committee that
19 is established or financed or maintained or con-
20 trolled by any candidate or Federal officeholder shall
21 be considered to be an authorized committee of the
22 candidate or officeholder. Nothing in this paragraph
23 shall be construed to permit the establishment, fi-
24 nancing, maintenance, or control of any committee

1 that is prohibited by paragraph (3) or (6) of section
2 302(e).”.

3 (c) RULES APPLICABLE WHEN BAN NOT IN EF-
4 FECT.—For purposes of the Federal Election Campaign
5 Act of 1971 (2 U.S.C. 431 et seq.), during any period
6 beginning after the effective date in which the limitation
7 under section 324 of that Act (as added by subsection (a))
8 is not in effect, the amendments made by subsections (a)
9 and (b) shall not be in effect.

10 (d) RULE ENSURING PROHIBITION OF DIRECT COR-
11 PORATE AND LABOR ORGANIZATION SPENDING.—If sec-
12 tion 316(a) of the Federal Election Campaign Act of 1971
13 (2 U.S.C. 441b(a)) is held to be invalid by reason of the
14 amendments made by this section, the amendments made
15 by subsections (a) and (b) shall not apply to contributions
16 by any political committee that is directly or indirectly es-
17 tablished, administered, or supported by a connected orga-
18 nization that is a bank, corporation, or other organization
19 described in section 316(a) of that Act.

20 (e) RESTRICTIONS ON CONTRIBUTIONS TO POLITI-
21 CAL COMMITTEES.—Paragraphs (1)(D) and (2)(D) of sec-
22 tion 315(a) of the Federal Election Campaign Act of 1971
23 (2 U.S.C. 441a(a)), as redesignated by section 312, are
24 amended by striking “\$5,000” and inserting “\$1,000”.

25 (f) EFFECTIVE DATES.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the amendments made by this section
3 shall apply to elections (and the election cycles relat-
4 ing thereto) occurring after December 31, 1996.

5 (2) APPLICABILITY.—In applying the amend-
6 ments made by this section, there shall not be taken
7 into account—

8 (A) a contribution made or received before
9 January 1, 1997; or

10 (B) a contribution made to, or received by,
11 a candidate on or after January 1, 1997, to the
12 extent that the aggregate amount of such con-
13 tributions made to or received by the candidate
14 is not greater than the excess (if any) of—

15 (i) the aggregate amount of such con-
16 tributions made to or received by any op-
17 ponent of the candidate before January 1,
18 1997; over

19 (ii) the aggregate amount of such con-
20 tributions made to or received by the can-
21 didate before January 1, 1997.

22 **SEC. 103. REPORTING REQUIREMENTS.**

23 Title III of the Federal Election Campaign Act of
24 1971 (2 U.S.C. 431 et seq.) is amended by inserting after
25 section 304 the following:

1 percent of the general election expenditure
2 limit;
3 shall file a report with the Secretary of the Sen-
4 ate within 2 business days after aggregate con-
5 tributions have been received or aggregate ex-
6 penditures have been made or obligated to be
7 made in that amount (or, if later, within 2 busi-
8 ness days after the date of qualification for the
9 general election ballot), setting forth the can-
10 didate's aggregate amount of contributions re-
11 ceived and aggregate amount of expenditures
12 made or obligated to be made for the election
13 as of the date of the report.

14 “(B) ADDITIONAL REPORTS.—After an ini-
15 tial report is filed under subparagraph (A), the
16 candidate shall file additional reports (until the
17 amount of such contributions or expenditures
18 exceeds 200 percent of the general election ex-
19 penditure limit) with the Secretary of the Sen-
20 ate within 2 business days after each time addi-
21 tional contributions are received, or expendi-
22 tures are made or are obligated to be made,
23 that in the aggregate exceed an amount equal
24 to 10 percent of the general election expendi-
25 ture limit and after the aggregate amount of

1 contributions or expenditures exceeds 100,
2 133 $\frac{1}{3}$, 166 $\frac{2}{3}$, and 200 percent of the general
3 election expenditure limit.

4 “(3) NOTIFICATION OF OTHER CANDIDATES.—

5 The Commission—

6 “(A) shall, within 2 business days after re-
7 ceipt of a declaration or report under paragraph
8 (1) or (2), notify each eligible Senate candidate
9 of the filing of the declaration or report; and

10 “(B) if an opposing candidate has received
11 aggregate contributions, or made or obligated to
12 make aggregate expenditures, in excess of the
13 general election expenditure limit, shall certify,
14 under subsection (e), the eligibility for payment
15 of any amount to which an eligible Senate can-
16 didate in the general election is entitled under
17 section 504(a).

18 “(4) ACTION BY THE COMMISSION ABSENT RE-
19 PORT.—

20 “(A) IN GENERAL.—Notwithstanding the
21 reporting requirements under this subsection,
22 the Commission may make its own determina-
23 tion that a candidate in a general election who
24 is not an eligible Senate candidate has raised
25 aggregate contributions, or made or has obli-

1 gated to make aggregate expenditures, in the
2 amounts that would require a report under
3 paragraph (2).

4 “(B) NOTIFICATION OF ELIGIBLE SENATE
5 CANDIDATES.—The Commission shall—

6 “(i) within 2 business days after mak-
7 ing a determination under subparagraph
8 (A), notify each eligible Senate candidate
9 in the general election of the making of the
10 determination; and

11 “(ii) when the aggregate amount of
12 contributions or expenditures exceeds the
13 general election expenditure limit, certify
14 under subsection (e) an eligible Senate
15 candidate’s eligibility for payment of any
16 amount under section 504(a).

17 “(c) REPORTS ON PERSONAL FUNDS.—

18 “(1) FILING.—A candidate for the Senate who,
19 during an election cycle, expends more than the per-
20 sonal funds expenditure limit during the election
21 cycle shall file a report with the Secretary of the
22 Senate within 2 business days after expenditures
23 have been made or loans incurred in excess of the
24 personal funds expenditure limit.

1 “(2) NOTIFICATION OF ELIGIBLE SENATE CAN-
2 DIDATES.—Within 2 business days after a report
3 has been filed under paragraph (1), the Commission
4 shall notify each eligible Senate candidate in the
5 general election of the filing of the report.

6 “(3) ACTION BY THE COMMISSION ABSENT RE-
7 PORT.—

8 “(A) IN GENERAL.—Notwithstanding the
9 reporting requirements under this subsection,
10 the Commission may make its own determina-
11 tion that a candidate for the Senate has made
12 expenditures in excess of the amount under
13 paragraph (1).

14 “(B) NOTIFICATION OF ELIGIBLE SENATE
15 CANDIDATES.—Within 2 business days after
16 making a determination under subparagraph
17 (A), the Commission shall notify each eligible
18 Senate candidate in the general election of the
19 making of the determination.

20 “(d) CANDIDATES FOR OTHER OFFICES.—

21 “(1) FILING.—Each individual—

22 “(A) who becomes a candidate for the of-
23 fice of United States Senator;

24 “(B) who, during the election cycle for that
25 office, held any other Federal, State, or local

1 office or was a candidate for any such office;
2 and

3 “(C) who expended any amount during the
4 election cycle before becoming a candidate for
5 the office of United States Senator that would
6 have been treated as an expenditure if the indi-
7 vidual had been such a candidate (including
8 amounts for activities to promote the image or
9 name recognition of the individual);

10 shall, within 7 days after becoming a candidate for
11 the office of United States Senator, report to the
12 Secretary of the Senate the amount and nature of
13 such expenditures.

14 “(2) APPLICABILITY.—Paragraph (1) shall not
15 apply to any expenditures in connection with a Fed-
16 eral, State, or local election that has been held be-
17 fore the individual becomes a candidate for the office
18 of United States Senator.

19 “(3) DETERMINATION.—The Commission shall,
20 as soon as practicable, make a determination as to
21 whether any amounts reported under paragraph (1)
22 were made for purposes of influencing the election of
23 the individual to the office of Senator.

24 “(4) CERTIFICATION.—The Commission shall
25 certify to the individual and the individual’s oppo-

1 nents the amounts the Commission determines to be
2 described in paragraph (3), and such amounts shall
3 be treated as expenditures for purposes of this Act.

4 “(e) BASIS OF CERTIFICATIONS.—Notwithstanding
5 section 505(a), the certification required by this section
6 shall be made by the Commission on the basis of reports
7 filed in accordance with this Act or on the basis of the
8 Commission’s own investigation or determination.

9 “(f) SHORTER PERIODS FOR REPORTS AND NOTICES
10 DURING ELECTION WEEK.—Any report, determination,
11 or notice required by reason of an event occurring during
12 the 7-day period ending on the date of the general election
13 shall be made within 24 hours (rather than 2 business
14 days) of the event.

15 “(g) COPIES OF REPORTS AND PUBLIC INSPEC-
16 TION.—The Secretary of the Senate shall—

17 “(1) transmit a copy of any report or filing re-
18 ceived under this section or under title V as soon as
19 possible (but not later than 4 working hours of the
20 Commission) after receipt of the report or filing;

21 “(2) make the report or filing available for pub-
22 lic inspection and copying in the same manner as
23 the Commission under section 311(a)(4); and

1 “(3) preserve the reports and filings in the
2 same manner as the Commission under section
3 311(a)(5).”.

4 **SEC. 104. DISCLOSURE BY CANDIDATES' OTHER THAN ELI-**
5 **GIBLE SENATE CANDIDATES.**

6 Section 318 of the Federal Election Campaign Act
7 of 1971 (2 U.S.C. 441d) (as amended by section 113) is
8 amended by adding at the end the following:

9 “(e) DISCLOSURE BY CANDIDATES OTHER THAN EL-
10 IGIBLE SENATE CANDIDATES.—A broadcast, cablecast, or
11 other communication that is paid for or authorized by a
12 candidate in the general election for the office of United
13 States Senator who is not an eligible Senate candidate,
14 or the authorized committee of such a candidate, shall
15 contain the following sentence: ‘This candidate has not
16 agreed to voluntary campaign spending limits.’”.

17 **SEC. 105. EXCESS CAMPAIGN FUNDS OF SENATE CAN-**
18 **DIDATES.**

19 Section 313 of the Federal Election Campaign Act
20 of 1971 (2 U.S.C. 439a) is amended—

21 (1) by inserting “(a) IN GENERAL.—” before
22 “Amounts” and adjusting the margin appropriately;
23 and

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

25 “(b) DISPOSITION OF EXCESS CAMPAIGN FUNDS.—

1 “(1) Except as provided in paragraph (2), and
2 notwithstanding subsection (a), a candidate for the
3 Senate who has amounts in excess of amounts nec-
4 essary to defray expenditures for an election cycle,
5 including any fines or penalties relating thereto,
6 shall, not later than 1 year after the date of the gen-
7 eral election for the election cycle—

8 “(A) expend the excess in the manner de-
9 scribed in subsection (a); or

10 “(B) pay the excess to the general fund of
11 the Treasury of the United States.

12 “(2) APPLICABILITY.—Paragraph (1) shall not
13 apply to any amount—

14 “(A) that is transferred to a legal and ac-
15 counting compliance fund under section 503(c);
16 or

17 “(B) that is transferred for use in the next
18 election cycle, to the extent that the amount
19 transferred does not exceed 20 percent of the
20 sum of the primary election expenditure limit
21 under section 501(d)(1)(A) and the general
22 election expenditure limit for the election cycle
23 from which the amounts are transferred.”.

1 **SEC. 106. CONTRIBUTION LIMIT FOR ELIGIBLE SENATE**
2 **CANDIDATES.**

3 Section 315(a)(1) of the Federal Election Campaign
4 Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

5 (1) in subparagraph (A), by inserting “except
6 as provided in subparagraph (B),” before “to”;

7 (2) by redesignating subparagraphs (B) and
8 (C) as subparagraphs (C) and (D), respectively; and

9 (3) by inserting after subparagraph (A) the fol-
10 lowing:

11 “(B) to an eligible Senate candidate (as defined
12 in section 501) and the authorized political commit-
13 tees of the candidate which, in the aggregate, exceed
14 \$2,000, if an opponent of the eligible Senate can-
15 didate fails to comply with the expenditure limits
16 contained in this Act and has received contributions
17 in excess of 10 percent of the general election limits
18 contained in this Act or has expended personal funds
19 in excess of 10 percent of the general election limits
20 contained in this Act;”.

21 **Subtitle B—General Provisions**

22 **SEC. 111. BROADCAST RATES AND PREEMPTION.**

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

25 (1) by striking “(b) The charges” and inserting
26 the following:

1 “(b) BROADCAST MEDIA RATES.—

2 “(1) IN GENERAL.—The charges”;

3 (2) by redesignating paragraphs (1) and (2) as
4 subparagraphs (A) and (B), respectively, and adjust-
5 ing the margins accordingly;

6 (3) in paragraph (1)(A) (as redesignated by
7 paragraph (2))—

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

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

16 (4) by adding at the end the following:

17 “(2) ELIGIBLE SENATE CANDIDATES.—

18 “(A) IN GENERAL.—In the case of an eligi-
19 ble Senate candidate (as described in section
20 501 of the Federal Election Campaign Act), the
21 charges for the use of a television broadcasting
22 station during the 30-day period and 60-day pe-
23 riod referred to in paragraph (1)(A) shall not
24 exceed 50 percent of the lowest charge de-
25 scribed in paragraph (1)(A).

1 “(B) APPLICABILITY.—Subparagraph (A)
2 shall not apply to broadcasts that are to be paid
3 from amounts received under section
4 504(a)(2)(B) of the Federal Election Campaign
5 Act of 1971.”.

6 (b) PREEMPTION; ACCESS.—Section 315 of the Com-
7 munications Act of 1947 (47 U.S.C. 315) is amended—

8 (1) by redesignating subsections (c) and (d) as
9 subsection (d) and (e), respectively; and

10 (2) by inserting after subsection (b) the follow-
11 ing:

12 “(c) PREEMPTION.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), a licensee shall not preempt the use, dur-
15 ing any period specified in subsection (b)(1), of a
16 broadcasting station by a legally qualified candidate
17 for public office who has purchased and paid for
18 such use pursuant to subsection (b)(1).

19 “(2) CIRCUMSTANCES BEYOND CONTROL OF LI-
20 CENSEE.—If a program to be broadcast by a broad-
21 casting station is preempted because of cir-
22 cumstances beyond the control of the broadcasting
23 station, any candidate advertising spot scheduled to
24 be broadcast during that program may also be pre-
25 empted.”.

1 (c) REVOCATION OF LICENSE FOR FAILURE TO PER-
2 MIT ACCESS.—Section 312(a)(7) of the Communications
3 Act of 1947 (47 U.S.C. 312(a)(7)) is amended—

4 (1) by striking “or repeated”;

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

7 (3) by striking “his candidacy” and inserting
8 “his or her candidacy, under the same terms, condi-
9 tions, and business practices as apply to the broad-
10 casting station’s most favored advertiser”.

11 **SEC. 112. REPORTING REQUIREMENTS FOR CERTAIN INDE-
12 PENDENT EXPENDITURES.**

13 (a) IN GENERAL.—Section 304 of the Federal Elec-
14 tion Campaign Act of 1971 (2 U.S.C. 434) (as amended
15 by section 608) is amended by adding at the end the fol-
16 lowing:

17 “(e) TIME FOR REPORTING CERTAIN EXPENDI-
18 TURES.—

19 “(1) EXPENDITURES AGGREGATING \$1,000.—A
20 person that makes independent expenditures aggre-
21 gating \$1,000 or more after the 20th day, but more
22 than 24 hours, before an election shall file a report
23 describing the expenditures within 24 hours after
24 that amount of independent expenditures has been
25 made.

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

2 “(A) INITIAL REPORT.—A person that
3 makes independent expenditures aggregating
4 \$10,000 or more at any time up to and includ-
5 ing the 20th day before an election shall file a
6 report describing the expenditures within 48
7 hours that amount of independent expenditures
8 has been made.

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

16 “(3) PLACE OF FILING; CONTENTS; TRANSMIT-
17 TAL.—

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

20 “(i) shall be filed with the Secretary
21 of the Senate or the Commission, and the
22 Secretary of State of the candidate’s State;
23 and

24 “(ii) shall contain the information re-
25 quired by subsection (b)(6)(B)(iii), includ-

1 ing whether each independent expenditure
2 was made in support of, or in opposition
3 to, a candidate.

4 “(B) TRANSMITTAL.—

5 “(i) TO THE COMMISSION.—As soon
6 as possible (but not later than 4 working
7 hours of the Commission) after receipt of
8 a report under this subsection, the Sec-
9 retary of the Senate shall transmit the re-
10 port to the Commission.

11 “(ii) TO CANDIDATES.—Not later
12 than 48 hours after receipt of a report
13 under this subsection, the Commission
14 shall transmit a copy of the report to each
15 candidate seeking nomination for election
16 to, or election to, the office in question.

17 “(4) OBLIGATION TO MAKE EXPENDITURE.—
18 For purposes of this subsection, an expenditure shall
19 be treated as being made when it is made or obli-
20 gated to be made.

21 “(5) ADVANCE NOTICE OF INTENTION TO MAKE
22 INDEPENDENT EXPENDITURES.—

23 “(A) IN GENERAL.—A person that intends
24 to make independent expenditures totaling
25 \$5,000 or more during the 20 days before an

1 election shall file a notice of that intention not
2 later than the 20th day before the election.

3 “(B) PLACE OF FILING; CONTENTS;
4 TRANSMITTAL.—

5 “(i) PLACE OF FILING; CONTENTS.—

6 A statement under subparagraph (A)—

7 “(I) shall be filed with the Sec-
8 retary of the Senate or the Commis-
9 sion, and the Secretary of State of the
10 candidate’s State; and

11 “(II) shall identify each can-
12 didate whom the expenditure will sup-
13 port or oppose.

14 “(ii) TRANSMITTAL.—

15 “(I) TO THE COMMISSION.—As
16 soon as possible (but not later than 4
17 working hours of the Commission)
18 after receipt of a notice of intention
19 under this paragraph, the Commission
20 shall transmit the notice to the Com-
21 mission.

22 “(II) TO CANDIDATES.—Not
23 later than 48 hours after the receipt
24 of a notice of intention under this
25 paragraph, the Commission shall

1 transmit a copy of the notice to each
2 candidate identified in the notice.

3 “(6) DETERMINATIONS BY THE COMMISSION.—

4 “(A) IN GENERAL.—The Commission may
5 make its own determination that a person has
6 made, or has incurred obligations to make,
7 independent expenditures with respect to any
8 Federal election that in the aggregate exceed
9 the applicable amounts under paragraph (1) or
10 (2).

11 “(B) NOTIFICATION.—The Commission
12 shall notify each candidate in the election of the
13 making of the determination within 24 hours
14 after making the determination.

15 “(7) CERTIFICATION OF ELIGIBILITY TO RE-
16 CEIVE BENEFITS.—At the same time as a candidate
17 is notified under paragraph (3), (5), or (6) with re-
18 spect to expenditures during a general election pe-
19 riod, the Commission shall certify eligibility to re-
20 ceive benefits under section 504(a).

21 “(8) PUBLIC AVAILABILITY; PRESERVATION.—
22 The Secretary of the Senate shall make any report
23 or notice of intention received under this subsection
24 available for public inspection and copying in the
25 same manner as under section 311(a)(4), and shall

1 preserve the reports and notices in the same manner
2 as under section 311(a)(5).”.

3 (b) CONFORMING AMENDMENT.—Section 304(c)(2)
4 of the Federal Election Campaign Act of 1971 (2 U.S.C.
5 434(e)(2)) is amended by striking the undesignated mat-
6 ter after subparagraph (C).

7 **SEC. 113. CAMPAIGN ADVERTISING AMENDMENTS.**

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

10 (1) in subsection (a)—

11 (A) by striking “Whenever” and inserting
12 the following:

13 “(a) DISCLOSURE.—When a political committee
14 makes a disbursement for the purpose of financing any
15 communication through any broadcasting station, news-
16 paper, magazine, outdoor advertising facility, mailing, or
17 any other type of general public political advertising, or
18 when”;

19 (B) by striking “an expenditure” and in-
20 sserting “a disbursement”;

21 (C) by striking “direct”; and

22 (D) in paragraph (3), by inserting “and
23 permanent street address” after “name”;

1 (2) in subsection (b), by inserting “SAME
2 CHARGE AS CHARGE FOR COMPARABLE USE.—” be-
3 fore “No”; and

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

5 “(c) REQUIREMENTS FOR PRINTED COMMUNICA-
6 TIONS.—A printed communication described in subsection
7 (a) shall be—

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

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

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

15 “(d) REQUIREMENTS FOR BROADCAST AND CABLE-
16 CAST COMMUNICATIONS.—

17 “(1) PAID FOR OR AUTHORIZED BY THE CAN-
18 DIDATE.—

19 “(A) IN GENERAL.—A broadcast or cable-
20 cast communication described in paragraph (1)
21 or (2) of subsection (a) shall include, in addi-
22 tion to the requirements of those paragraphs,
23 an audio statement by the candidate that iden-
24 tifies the candidate and states that the can-
25 didate has approved the communication.

1 “(B) TELEVISED COMMUNICATIONS.—A
2 broadcast or cablecast communication described
3 in paragraph (1) that is broadcast or cablecast
4 by means of television shall include, in addition
5 to the audio statement under subparagraph (A),
6 a written statement—

7 “(i) that states: ‘I [name of can-
8 didate] am a candidate for [the office the
9 candidate is seeking], and I have approved
10 this message’;

11 “(ii) that appears at the end of the
12 communication in a clearly readable man-
13 ner with a reasonable degree of color con-
14 trast between the background and the
15 printed statement, for a period of at least
16 4 seconds; and

17 “(iii) that is accompanied by a clearly
18 identifiable photographic or similar image
19 of the candidate.

20 “(2) NOT PAID FOR OR AUTHORIZED BY THE
21 CANDIDATE.—A broadcast or cablecast communica-
22 tion described in subsection (a)(3) shall include, in
23 addition to the requirements of that paragraph, in a
24 clearly spoken manner, the statement—

1 ‘ _____ is responsible for the
2 content of this advertisement.’;
3 with the blank to be filled in with the name of the political
4 committee or other person paying for the communication
5 and the name of any connected organization of the payor;
6 and, if the communication is broadcast or cablecast by
7 means of television, the statement shall also appear in a
8 clearly readable manner with a reasonable degree of color
9 contrast between the background and the printed state-
10 ment, for a period of at least 4 seconds.”.

11 **SEC. 114. DEFINITIONS.**

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

15 “(19) The term ‘general election’—

16 “(A) means an election that will directly
17 result in the election of a person to a Federal
18 office; and

19 “(B) includes a primary election that may
20 result in the election of a person to a Federal
21 office.

22 “(20) The term ‘general election period’ means,
23 with respect to a candidate, the period beginning on
24 the day after the date of the primary or runoff elec-
25 tion for the specific office that the candidate is seek-

1 ing, whichever is later, and ending on the earlier
2 of—

3 “(A) the date of the general election; or

4 “(B) the date on which the candidate with-
5 draws from the campaign or otherwise ceases
6 actively to seek election.

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

8 “(A) a candidate’s spouse;

9 “(B) a child, stepchild, parent, grand-
10 parent, brother, half-brother, sister, or half-sis-
11 ter of the candidate or the candidate’s spouse;
12 and

13 “(C) the spouse of any person described in
14 subparagraph (B).

15 “(22) The term ‘major party’ has the meaning
16 given the term in section 9002(6) of the Internal
17 Revenue Code of 1986, except that if a candidate
18 qualified for the ballot in a general election in an
19 open primary in which all the candidates for the of-
20 fice participated and which resulted in the candidate
21 and at least 1 other candidate’s qualifying for the
22 ballot in the general election, the candidate shall be
23 treated as a candidate of a major party for purposes
24 of title V.

1 “(23) The term ‘primary election’ means an
2 election that may result in the selection of a can-
3 didate for the ballot in a general election for a Fed-
4 eral office.

5 “(24) The term ‘primary election period’
6 means, with respect to a candidate, the period begin-
7 ning on the day following the date of the last elec-
8 tion for the specific office that the candidate is seek-
9 ing and ending on the earlier of—

10 “(A) the date of the first primary election
11 for that office following the last general election
12 for that office; or

13 “(B) the date on which the candidate with-
14 draws from the election or otherwise ceases ac-
15 tively to seek election.

16 “(25) The term ‘runoff election’ means an elec-
17 tion held after a primary election that is prescribed
18 by applicable State law as the means for deciding
19 which candidate will be on the ballot in the general
20 election for a Federal office.

21 “(26) The term ‘runoff election period’ means,
22 with respect to any candidate, the period beginning
23 on the day following the date of the last primary
24 election for the specific office that the candidate is

1 seeking and ending on the date of the runoff election
2 for that office.

3 “(27) The term ‘voting age population’ means
4 the number of residents of a State who are 18 years
5 of age or older, as certified under section 315(e).

6 “(28) The term ‘election cycle’ means—

7 “(A) in the case of a candidate or the au-
8 thorized committees of a candidate, the period
9 beginning on the day after the date of the most
10 recent general election for the specific office or
11 seat that the candidate is seeking and ending
12 on the date of the next general election for that
13 office or seat; and

14 “(B) in the case of all other persons, the
15 period beginning on the first day following the
16 date of the last general election and ending on
17 the date of the next general election.”.

18 (b) IDENTIFICATION.—Section 301(13) of the Fed-
19 eral Election Campaign Act of 1971 (2 U.S.C. 431(13))
20 is amended by striking “mailing address” and inserting
21 “permanent residence address”.

22 **SEC. 115. PROVISIONS RELATING TO FRANKED MASS**
23 **MAILINGS.**

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

1 (1) by striking “if the mass mailing is post-
2 marked fewer than 60 days immediately before the
3 date” and inserting “if the mass mailing is post-
4 marked during the calendar year”; and

5 (2) by inserting “or reelection” before the pe-
6 riod.

7 **TITLE II—INDEPENDENT**
8 **EXPENDITURES**

9 **SEC. 201. DEFINITION OF INDEPENDENT EXPENDITURE.**

10 Section 301 of the Federal Election Campaign Act
11 of 1971 (2 U.S.C. 431) is amended by striking paragraph
12 (17) and inserting the following:

13 “(17) INDEPENDENT EXPENDITURE.—

14 “(A) IN GENERAL.—The term “independ-
15 ent expenditure” means an expenditure by a
16 person other than a candidate or candidate’s
17 authorized committee—

18 “(i) that is made for a communication
19 that contains express advocacy; and

20 “(ii) is made without the participation
21 or cooperation of and without coordination
22 with a candidate.

23 “(B) EXPRESS ADVOCACY.—The term ‘ex-
24 press advocacy’ means a communication advo-
25 cating the election or defeat of a clearly identi-

1 fied candidate and includes any communication
2 that—

3 “(i)(I) contains a phrase such as ‘vote
4 for’, ‘re-elect’, ‘support’, ‘cast your ballot
5 for’, ‘(name of candidate) for Congress’,
6 ‘(name of candidate) in 1997’, ‘vote
7 against’, ‘defeat’, ‘reject’;

8 “(II) recommends a position on an
9 issue and clearly identifies 1 or more can-
10 didates as supporting or opposing that po-
11 sition; or

12 “(III) contains campaign slogans or
13 individual words that in context can have
14 no reasonable meaning other than to rec-
15 ommend the election or defeat of 1 or more
16 clearly identified candidates;

17 “(ii) clearly identifies 1 or more can-
18 didates and is broadcast by a radio broad-
19 cast station or a television broadcast sta-
20 tion (including a cable system) within 60
21 calendar days preceding the date of an
22 election (or with respect to a candidate for
23 the office of Vice President or President in
24 a general election, within 90 calendar days

1 preceding the date of the general election);

2 or

3 “(iii) taken as a whole and with lim-
4 ited reference to external events, such as
5 proximity to an election, expresses unmis-
6 takable support for or opposition to 1 or
7 more clearly identified candidates.

8 “(C) WITHOUT THE PARTICIPATION OR
9 COOPERATION OF AND WITHOUT COORDINATION
10 WITH A CANDIDATE.—The term ‘without the
11 participation or cooperation of and without co-
12 ordination with a candidate’, with respect to an
13 expenditure, means an expenditure that is
14 made—

15 “(i) without any request or suggestion
16 from or any involvement of a candidate or
17 candidate’s representative;

18 “(ii) without the involvement of any
19 person who, during the election cycle in
20 which the expenditure is made, has raised
21 funds on behalf of the candidate, counseled
22 or advised the candidate or the candidate’s
23 representative regarding the election (other
24 than to provide legal and accounting serv-
25 ices to ensure compliance with this Act),

1 engaged in campaign-related research or
2 polling analysis with respect to the elec-
3 tion, or communicated with or received in-
4 formation from the candidate or the can-
5 didate's representative about the can-
6 didate's plans, resources, expenditures, or
7 needs regarding the election; and

8 “(iii) without the involvement of any
9 person who received compensation, during
10 the election cycle in which the expenditure
11 is made, from the candidate or candidate's
12 representative and from the person making
13 the independent expenditure.”.

14 **SEC. 202. INDEPENDENT VERSUS COORDINATED EXPENDI-**
15 **TURES BY POLITICAL PARTY COMMITTEES.**

16 (a) DEFINITION OF COORDINATED EXPENDITURE.—
17 Section 301 of the Federal Election Campaign Act of
18 1971 (2 U.S.C. 431) is amended by adding at the end
19 the following:

20 “(19) COORDINATED EXPENDITURE.—The
21 term ‘independent expenditure’ means an expendi-
22 ture that is made by a person other than the can-
23 didate and that is not an independent expenditure.”.

24 (b) INDEPENDENT VERSUS COORDINATED EXPENDI-
25 TURES BY POLITICAL PARTY COMMITTEES.—Section

1 315(d) of the Federal Election Campaign Act of 1971 (2
2 U.S.C. 441a(d)) is amended—

3 (1) in paragraph (1) by striking “and (3)” and
4 inserting “, (3) and (4)”; and

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

6 “(4) PROHIBITION AGAINST MAKING BOTH
7 COORDINATED EXPENDITURES AND INDEPEND-
8 ENT EXPENDITURES.—

9 “(A) IN GENERAL.—A committee of a
10 political party shall not make both a co-
11 ordinated expenditure and an independent
12 expenditure with respect to the same can-
13 didate during a single election cycle.

14 “(B) CERTIFICATION.—Before mak-
15 ing a coordinated expenditure or an inde-
16 pendent expenditure with respect to a can-
17 didate, a committee of a political party
18 that is subject to this subsection shall file
19 with the Commission a certification, signed
20 by the treasurer, stating whether the com-
21 mittee will make coordinated expenditures
22 or independent expenditures with respect
23 to the candidate.

24 “(C) TRANSFERS.—A party commit-
25 tee that certifies under this paragraph that

1 the committee will make coordinated ex-
2 penditures with respect to a candidate
3 shall not, in the same election cycle, make
4 a transfer of funds to, or receive a transfer
5 of funds from, any other party committee
6 that has certified under this paragraph
7 that it will make independent expenditures
8 with respect to the candidate.”.

9 **SEC. 203. TREATMENT OF QUALIFIED NONPROFIT COR-**
10 **PORATIONS.**

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

14 “(c) **EXCEPTION FOR CERTAIN TAX-EXEMPT COR-**
15 **PORATIONS.—**

16 “(1) **IN GENERAL.—**Notwithstanding the prohi-
17 bitions of this section, a qualified nonprofit corpora-
18 tion may make an independent expenditure.

19 “(2) **DEFINITION OF QUALIFIED NONPROFIT**
20 **CORPORATION.—**For purposes of this Act, the term
21 ‘qualified nonprofit corporation’ means a corporation
22 that meets the following requirements:

23 “(A) **TAX-EXEMPT STATUS.—**The corpora-
24 tion is exempt from taxation under section
25 501(a) of the Internal Revenue Code of 1986

1 and is described in section 501(c)(4) of the
2 Code.

3 “(B) PURPOSES.—The corporation is orga-
4 nized exclusively to promote specific political
5 ideas.

6 “(C) NO TRADE OR BUSINESS.—The cor-
7 poration does not engage in any activity that
8 constitutes a trade or business.

9 “(D) ESTABLISHMENT.—The corporation
10 was not established by—

11 “(i) a corporation that is carrying on
12 a trade or business;

13 “(ii) a labor organization; or

14 “(iii) a business league or other orga-
15 nization described in section 501(c)(6) of
16 the Internal Revenue Code of 1986.

17 “(E) CONTRIBUTIONS.—The corporation
18 does not accept, directly or indirectly, donations
19 of anything of value from any corporation, labor
20 organization or organization described in sub-
21 paragraph (D)(iii), and does not serve, directly
22 or indirectly, as a conduit for expenditures by
23 such entities.

24 “(F) CLAIMS AND INCENTIVES.—The cor-
25 poration—

1 “(i) has no shareholder or other per-
2 son, other than an employee or creditor
3 without an ownership interest, whose affili-
4 ation could allow a claim on the assets or
5 earnings of such corporation; and

6 “(ii) offers no incentives or disincen-
7 tives for persons to associate or not to as-
8 sociate with the corporation other than the
9 positions of the corporation on political is-
10 sues.

11 “(3) STATUS AS POLITICAL COMMITTEE.—If a
12 qualified nonprofit corporation meets the qualifica-
13 tions of section 301(4), the corporation shall be
14 treated as a political committee.

15 “(4) DISCLOSURE TO DONORS.—All solicita-
16 tions of donations by the qualified nonprofit corpora-
17 tion shall inform potential donors that donations
18 may be used by the corporation for political pur-
19 poses, such as supporting or opposing candidates for
20 public office.”.

21 **SEC. 204. EQUAL BROADCAST TIME.**

22 Section 315 of the Communications Act of 1934 (47
23 U.S.C. 315) is amended by striking subsection (a) and in-
24 serting the following:

1 “(a) EQUAL OPPORTUNITY TO USE BROADCASTING
2 STATION.—

3 “(1) IN GENERAL.—A licensee that permits any
4 person who is a legally qualified candidate for public
5 office to use a broadcasting station (other than any
6 use required to be provided under paragraph (2))
7 shall afford equal opportunities to all other such
8 candidates for that office in the use of the broad-
9 casting station.

10 “(2) INDEPENDENT EXPENDITURES.—

11 “(A) INFORMATION TO BE PROVIDED TO
12 LICENSEE BY PERSON RESERVING BROADCAST
13 TIME.—A person that reserves broadcast time
14 the payment for which would constitute an
15 independent expenditure (as defined in section
16 301 of the Federal Election Campaign Act of
17 1971 (2 U.S.C. 431)) shall—

18 “(i) inform the licensee that payment
19 for the broadcast time will constitute an
20 independent expenditure;

21 “(ii) inform the licensee of the names
22 of all candidates for the office to which the
23 proposed broadcast relates and state
24 whether the message to be broadcast is in-

1 tended to be made in support of or in op-
2 position to each such candidate; and

3 “(iii) provide the licensee a copy of
4 the statement described in section 304(d)
5 of the Federal Election Campaign Act of
6 1971 (2 U.S.C. 434(d)).

7 “(B) RESPONSE BY LICENSEE.—A licensee
8 that is informed as described in subparagraph
9 (A) shall—

10 “(i) if any of the candidates described
11 in subparagraph (A)(ii) has provided the
12 licensee the name and address of a person
13 to whom notification under this subpara-
14 graph is to be given—

15 “(I) notify the person of the pro-
16 posed making of the independent ex-
17 penditure; and

18 “(II) allow any such candidate
19 (other than a candidate for whose
20 benefit the independent expenditure is
21 made) to purchase the same amount
22 of broadcast time immediately after
23 the broadcast time paid for by the
24 independent expenditure; and

1 “(iii) bona fide news documentary (if
2 the appearance of the candidate is inciden-
3 tal to the presentation of the subject or
4 subjects covered by the news documen-
5 tary); or

6 “(iv) on-the-spot coverage of bona fide
7 news events (including political conventions
8 and activities incidental thereto);
9 shall not be considered to be use of a broadcast-
10 ing station within the meaning of this sub-
11 section.

12 “(B) NO RELIEF FROM OTHER OBLIGA-
13 TIONS.—Nothing in subparagraph (A) relieves a
14 licensee, in connection with the presentation of
15 newscasts, news interviews, news documen-
16 taries, and on-the-spot coverage of news events,
17 from the obligation under this Act to operate in
18 the public interest and to afford reasonable op-
19 portunity for the discussion of conflicting views
20 on issues of public importance.

21 “(6) ENDORSEMENT OF CANDIDATE BY LI-
22 CENSEE.—

23 “(A) IN GENERAL.—A licensee that en-
24 dorses a candidate for Federal office in an edi-
25 torial shall, within the time stated in subpara-

1 graph (B), provide to all other candidates for
2 election to the same office—

3 “(i) notice of the date and time of
4 broadcast of the editorial;

5 “(ii) a taped or printed copy of the
6 editorial; and

7 “(iii) a reasonable opportunity to
8 broadcast a response using the licensee’s
9 facilities.

10 “(B) TIME FOR RESPONSE.—

11 “(i) 72 HOURS OR MORE BEFORE
12 ELECTION.—In the case of an editorial de-
13 scribed in subparagraph (A) that is first
14 broadcast 72 hours or more before the
15 date of a primary, runoff, or general elec-
16 tion, the notice and copy described in sub-
17 paragraph (A) (i) and (ii) shall be provided
18 not later than 24 hours after the time of
19 the first broadcast of the editorial.

20 “(ii) LESS THAN 72 HOURS BEFORE
21 ELECTION.—In the case of an editorial de-
22 scribed in subparagraph (A) that is first
23 broadcast less than 72 hours before the
24 date of an election, the notice and copy
25 shall be provided at a time prior to the

1 first broadcast that will be sufficient to en-
2 able candidates a reasonable opportunity to
3 prepare and broadcast a response.”.

4 **TITLE III—EXPENDITURES**
5 **Subtitle A—Personal Funds; Credit**

6 **SEC. 301. CONTRIBUTIONS AND LOANS FROM PERSONAL**
7 **FUNDS.**

8 Section 315 of the Federal Election Campaign Act
9 of 1971 (2 U.S.C. 441a) is amended by adding at the end
10 the following:

11 “(i) LIMITATIONS ON REPAYMENT OF LOANS AND
12 RETURN OF CONTRIBUTIONS FROM PERSONAL FUNDS.—

13 “(1) REPAYMENT OF LOANS.—If a candidate or
14 a member of the candidate’s immediate family made
15 a loan to the candidate or to the candidate’s author-
16 ized committees during an election cycle, no con-
17 tribution received after the date of the general elec-
18 tion for the election cycle may be used to repay the
19 loan.

20 “(2) RETURN OF CONTRIBUTIONS.—No con-
21 tribution by a candidate or member of the can-
22 didate’s immediate family may be returned to the
23 candidate or member other than as part of a pro
24 rata distribution of excess contributions to all con-
25 tributors.”.

1 **SEC. 302. EXTENSIONS OF CREDIT.**

2 Section 301(8)(A) of the Federal Election Campaign
3 Act of 1971 (2 U.S.C. 431(8)(A)) (as amended by section
4 201(b)), is amended—

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

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

7 (iii) and inserting “; or”; and

8 (3) by inserting at the end the following:

9 “(iv) with respect to a candidate and
10 the candidate’s authorized committees, any
11 extension of credit for goods or services re-
12 lating to advertising on a broadcasting sta-
13 tion, in a newspaper or magazine, or by a
14 mailing, or relating to other similar types
15 of general public political advertising, if
16 the extension of credit is—

17 “(I) in an amount greater than
18 \$1,000; and

19 “(II) for a period greater than
20 the period, not in excess of 60 days,
21 for which credit is generally extended
22 in the normal course of business after
23 the date on which the goods or serv-
24 ices are furnished or the date of a
25 mailing.”.

1 **Subtitle B—Soft Money of Political**
2 **Parties**

3 **SEC. 311. PREPARATION AND DISTRIBUTION BY VOLUN-**
4 **TEERS OF MATERIALS IN CONNECTION WITH**
5 **STATE AND LOCAL POLITICAL PARTY VOTER**
6 **REGISTRATION AND GET-OUT-THE-VOTE AC-**
7 **TIVITIES SO AS NOT TO BE CONSIDERED A**
8 **CONTRIBUTION OR EXPENDITURE.**

9 (a) CONTRIBUTION.—Section 301(8)(B)(xii) of the
10 Federal Election Campaign Act of 1971 (2 U.S.C.
11 431(8)(B)(xii)) is amended—

12 (1) by striking “such committee” and inserting
13 “the committee in connection with volunteer activi-
14 ties”;

15 (2) by striking “: *Provided, That*” and inserting
16 “if”;

17 (3) by redesignating the items designated as
18 items “(1)”, “(2)”, and “(3)”, respectively, as sub-
19 clauses (I), (II), and (III);

20 (4) by striking “and” at the end of subclause
21 (II) (as redesignated);

22 (5) by inserting “and” at the end of subclause
23 (III) (as redesignated); and

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

1 “(IV) the activities are conducted
2 solely by, and any materials are dis-
3 tributed solely by, volunteers;”.

4 (b) EXPENDITURE.—Section 301(9)(B)(ix) of the
5 Federal Election Campaign Act of 1971 (2 U.S.C.
6 431(9)(B)(ix)) is amended—

7 (1) by striking “such committee” and inserting
8 “the committee in connection with volunteer activi-
9 ties”;

10 (2) by striking “: *Provided, That*” and inserting
11 “if”;

12 (3) by redesignating the items designated as
13 items “(1)”, “(2)”, and “(3)”, respectively, as sub-
14 clauses (I), (II), and (III);

15 (4) by striking “and” at the end of subclause
16 (II) (as redesignated);

17 (5) by inserting “and” at the end of subclause
18 (III) (as redesignated); and

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

20 “(IV) any materials in connection
21 with the activities are prepared for
22 distribution (and are distributed) sole-
23 ly by volunteers; and”.

1 **SEC. 312. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
2 **TEES.**

3 (a) INDIVIDUAL CONTRIBUTIONS TO STATE
4 PARTY.—Section 315(a)(1) of the Federal Election Cam-
5 paign Act of 1971 (2 U.S.C. 441a(a)(1)) (as amended by
6 section 106) is amended—

7 (1) by striking “or” at the end of subparagraph
8 (B);

9 (2) by redesignating subparagraph (D) as sub-
10 paragraph (E); and

11 (3) by inserting after subparagraph (C) the fol-
12 lowing:

13 “(D) to—

14 “(i) a State Party Grassroots Fund
15 established and maintained by a State
16 committee of a political party in any cal-
17 endar year that, in the aggregate, exceed
18 \$20,000; or

19 “(ii) any other political committee es-
20 tablished and maintained by a State com-
21 mittee of a political party in any calendar
22 year that, in the aggregate, exceed \$5,000;
23 except that the aggregate contributions de-
24 scribed in this subparagraph that may be made
25 by a person to the State Party Grassroots Fund
26 and all committees of a State Committee of a

1 political party in any State in any calendar year
2 shall not exceed \$20,000; or”.

3 (b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS
4 TO STATE PARTY.—Section 315(a)(2) of the Federal
5 Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is
6 amended—

7 (1) by striking “or” at the end of subparagraph
8 (B);

9 (2) by redesignating subparagraph (C) as sub-
10 paragraph (D); and

11 (3) by inserting after subparagraph (B) the fol-
12 lowing:

13 “(C) to—

14 “(i) a State Party Grassroots Fund
15 established and maintained by a State
16 committee of a political party in any cal-
17 endar year that, in the aggregate, exceed
18 \$15,000; or

19 “(ii) to any other political committee
20 established and maintained by a State
21 committee of a political party that, in the
22 aggregate, exceed \$5,000;

23 except that the aggregate contributions de-
24 scribed in this subparagraph that may be made
25 by a multicandidate political committee to the

1 State Party Grassroots Fund and all commit-
2 tees of a State Committee of a political party
3 in any State in any calendar year shall not ex-
4 ceed \$15,000; or”.

5 (c) OVERALL LIMIT.—Section 315(a) of the Federal
6 Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is
7 amended by striking paragraph (3) and inserting the fol-
8 lowing:

9 “(3) OVERALL LIMIT.—

10 “(A) ELECTION CYCLE.—No individual
11 shall make contributions during any election
12 cycle (as defined in section 301(28)(B)) that, in
13 the aggregate, exceed \$60,000.

14 “(B) CALENDAR YEAR.—

15 “(i) IN GENERAL.—No individual
16 shall make contributions during any cal-
17 endar year—

18 “(I) to all candidates and their
19 authorized political committees that,
20 in the aggregate, exceed \$25,000; or

21 “(II) to all political committees
22 established and maintained by State
23 committees of a political party that, in
24 the aggregate, exceed \$20,000.

1 mittees of the candidate to the na-
2 tional committee of the candidate's
3 political party for distribution to State
4 Party Grassroots Funds.”.

5 (2) AMENDMENT OF INTERNAL REVENUE
6 CODE.—Subparagraph (A) of section 9002(11) of
7 the Internal Revenue Code of 1986 (defining quali-
8 fied campaign expense) is amended—

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

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

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

14 “(iv) any transfers to the national
15 committee of the candidate's political party
16 for distribution to State Party Grassroots
17 Funds (as defined in section 301(30) of
18 the Federal Election Campaign Act of
19 1971) to the extent that such transfers do
20 not exceed the amount determined under
21 section 315(b)(1)(B)(ii) of that Act;”.

22 **SEC. 313. PROVISIONS RELATING TO NATIONAL, STATE,**
23 **AND LOCAL PARTY COMMITTEES.**

24 (a) **SOFT MONEY OF COMMITTEES OF POLITICAL**
25 **PARTIES.**—Title III of the Federal Election Campaign Act

1 of 1971 (2 U.S.C. 431 et seq.) (as amended by section
2 102(a)) is amended by adding at the end the following:

3 **“SEC. 325. POLITICAL PARTY COMMITTEES.**

4 **“(a) LIMITATIONS ON NATIONAL COMMITTEES.—**

5 **“(1) IN GENERAL.—**A national committee of a
6 political party and the congressional campaign com-
7 mittees of a political party shall not solicit or accept
8 any amount, or solicit or accept a transfer from an-
9 other political committee, that is not subject to the
10 limitations, prohibitions, and reporting requirements
11 of this Act.

12 **“(2) EXCLUSIONS.—**Paragraph (1) shall not
13 apply to any amount received—

14 **“(A) that—**

15 **“(i) is to be transferred to a State**
16 **committee of a political party and is used**
17 **solely for an activity described in clause**
18 **(xi), (xii), (xiii), (xiv), (xv), (xvi), or (xvii)**
19 **of section 301(9)(B); or**

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

22 **“(B) with respect to which a contributor**
23 **has been notified that the amount will be used**
24 **solely for the purposes described in subpara-**
25 **graph (A).**

1 “(b) TRANSFERS TO TAX-EXEMPT ORGANIZA-
2 TIONS.—A national committee or a State committee of a
3 political party shall not transfer any funds to an organiza-
4 tion that is exempt from taxation under section 501(a)
5 of the Internal Revenue Code of 1986 and is described
6 in section 501(c)(3) of the Code.

7 “(c) ACTIVITIES SUBJECT TO THIS ACT.—

8 “(1) IN GENERAL.—Any amount solicited, re-
9 ceived, expended, or disbursed directly or indirectly
10 by a national, State, district, or local committee of
11 a political party (including any subordinate commit-
12 tee) with respect to any of the following activities
13 shall be treated as a contribution subject to the limi-
14 tations, prohibitions, and reporting requirements of
15 this Act:

16 “(A)(i) Any get-out-the-vote activity con-
17 ducted during a calendar year in which an elec-
18 tion for the office of President is held.

19 “(ii) Any other get-out-the-vote activity un-
20 less subsection (c)(2) applies to the activity.

21 “(B) Any generic campaign activity.

22 “(C) Any activity that identifies or pro-
23 motes a Federal candidate, regardless of wheth-
24 er—

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

3 “(ii) any portion of the funds dis-
4 bursed constitutes a contribution or ex-
5 penditure under this Act.

6 “(D) Voter registration.

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

10 “(F) Any other activity that—

11 “(i) significantly affects a Federal
12 election; or

13 “(ii) is not described in section
14 301(8)(B)(xvii).

15 “(2) FUNDRAISING COSTS.—Any amount spent
16 to raise funds that are used, in whole or in part, in
17 connection with an activity described in paragraph
18 (1) shall be treated as an expenditure subject to the
19 limitations, prohibitions, and reporting requirements
20 of this Act.

21 “(d) GET-OUT-THE-VOTE ACTIVITIES BY STATE,
22 DISTRICT, AND LOCAL COMMITTEES OF A POLITICAL
23 PARTY.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), any get-out-the-vote activity for a State

1 or local candidate, or for a ballot measure, that is
2 conducted by a State, district, or local committee of
3 a political party (including any subordinate commit-
4 tee) shall be treated as an expenditure subject to the
5 limitations, prohibitions, and reporting requirements
6 of this Act.

7 “(2) EXCLUSIONS.—Paragraph (1) shall not
8 apply to any activity that the State committee of a
9 political party certifies to the Commission is an ac-
10 tivity that—

11 “(A) is conducted during a calendar year
12 other than a calendar year in which an election
13 for the office of President is held;

14 “(B) is exclusively on behalf of (and spe-
15 cifically identifies only) 1 or more State or local
16 candidates or ballot measures; and

17 “(C) does not include any effort or means
18 used to identify or turn out those identified to
19 be supporters of any Federal candidate (includ-
20 ing any activity that is undertaken in coordina-
21 tion with, or on behalf of, a candidate for Fed-
22 eral office).

23 “(e) STATE PARTY GRASSROOTS FUNDS.—

24 “(1) IN GENERAL.—A State committee of a po-
25 litical party may make disbursements and expendi-

1 tures from its State Party Grassroots Fund only
2 for—

3 “(A) a generic campaign activity;

4 “(B) the making of a payment described in
5 clause (v), (x), or (xii) of paragraph (8)(B) or
6 clause (iv), (viii), or (ix) of paragraph (9)(B) of
7 section 301;

8 “(C) subject to the limitations of section
9 315(d), the making of a payment described in
10 paragraph (8)(B)(xii) or (9)(B)(ix) of section
11 301 on behalf of a candidate other than a can-
12 didate for President or Vice President;

13 “(D) voter registration; and

14 “(E) development and maintenance of
15 voter files during an even-numbered calendar
16 year.

17 “(2) TRANSFERS.—

18 “(A) IN GENERAL.—Notwithstanding sec-
19 tion 315(a)(4) and except as provided in sub-
20 paragraph (B), no funds may be transferred by
21 a State committee of a political party from its
22 State Party Grassroots Fund to any other State
23 Party Grassroots Fund or to any other political
24 committee.

1 “(B) TRANSFER TO SEPARATE SEG-
2 REGATED FUND OF DISTRICT OR LOCAL COM-
3 MITTEE.—A transfer may be made from a
4 State Party Grassroots Fund' to a district or
5 local committee of the same political party in
6 the same State if the district or local commit-
7 tee—

8 “(i) has established a separate fund
9 for the purposes described in paragraph
10 (1); and

11 “(ii) uses the transferred funds solely
12 for those purposes.

13 “(f) AMOUNTS RECEIVED BY STATE PARTY GRASS-
14 ROOTS FUND FROM NON-FEDERAL CANDIDATE COMMIT-
15 TEES.—

16 “(1) IN GENERAL.—Any amount received by a
17 State Party Grassroots Fund from a non-Federal
18 candidate committee for expenditures described in
19 subsection (b) that are for the benefit of that can-
20 didate shall be treated as meeting the requirements
21 of subsection (b) and section 304(f) if—

22 “(A) the amount is derived from funds
23 that meet the requirements of this Act with re-
24 spect to any limitation or prohibition as to

1 source or dollar amount specified in paragraphs
2 (1)(A) and (2)(A) of section 315(a); and

3 “(B) the non-Federal candidate commit-
4 tee—

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

10 “(ii) certifies that the requirements
11 were met.

12 “(2) DETERMINATION OF COMPLIANCE.—For
13 purposes of paragraph (1)(A), in determining wheth-
14 er the funds transferred meet the requirements of
15 this Act referred to in paragraph (1)(A)—

16 “(A) a non-Federal candidate committee’s
17 cash on hand shall be treated as consisting of
18 the funds most recently received by the commit-
19 tee; and

20 “(B) the committee must be able to dem-
21 onstrate that its cash on hand contains suffi-
22 cient funds meeting those requirements as are
23 necessary to cover the transferred funds.

24 “(3) REPORTING.—Notwithstanding paragraph
25 (1), a State Party Grassroots Fund that receives a

1 transfer described in paragraph (1) from a non-Fed-
2 eral candidate committee—

3 “(A) shall meet the reporting requirements
4 of this Act; and

5 “(B) shall submit to the Commission all
6 certifications received with respect to receipt of
7 the transfer from the candidate committee.”.

8 (b) DEFINITIONS.—

9 (1) CONTRIBUTION.—Section 301(8)(B) of the
10 Federal Election Campaign Act of 1971 (2 U.S.C.
11 431(8)(B)) is amended—

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

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

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

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

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

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

1 Federal candidate, and that are not activi-
2 ties described in section 325(c) (without
3 regard to paragraph (6)(B)) or section
4 325(d)(1);

5 “(xviii) any payment for administra-
6 tive expenses of a State or local committee
7 of a political party, including expenses
8 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) party elections or cau-
18 cuses;

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

22 “(xx) 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 “(xxi) any payment for any other ac-
4 tivity that is solely for the purpose of influ-
5 encing, and that solely affects, an election
6 for non-Federal office and that is not an
7 activity described in section 325(c) (with-
8 out regard to paragraph (6)(B)) or section
9 325(d)(1).”.

10 (2) EXPENDITURE.—Section 301(9)(B) of the
11 Federal Election Campaign Act of 1971 (2 U.S.C.
12 431(9)(B)) is amended—

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

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

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

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 325(c) (without
4 regard to paragraph (6)(B)) or section
5 325(d)(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 that is solely for the purpose of influ-
5 encing, and that solely affects, an election
6 for non-Federal office and that is not an
7 activity described in section 325(c) (with-
8 out regard to paragraph (6)(B)) or section
9 325(d)(1).”.

10 (3) OTHER TERMS.—Section 301 of the Federal
11 Election Campaign Act of 1971 (2 U.S.C. 431) (as
12 amended by section 114(a)) is amended by adding at
13 the end the following:

14 “(29) GENERIC CAMPAIGN ACTIVITY.—The
15 term ‘generic campaign activity’ means a campaign
16 activity that promotes a political party rather than
17 a particular candidate or non-Federal candidate.

18 “(30) STATE PARTY GRASSROOTS FUND.—The
19 term ‘State Party Grassroots Fund’ means a sepa-
20 rate fund established and maintained by a State
21 committee of a political party solely for purposes of
22 making expenditures and other disbursements de-
23 scribed in section 325(d).

1 “(31) NON-FEDERAL CANDIDATE.—The term
2 ‘non-Federal candidate’ means a candidate for State
3 or local office.

4 “(32) NON-FEDERAL CANDIDATE COMMIT-
5 TEE.—For purposes of this subsection, the term
6 ‘non-Federal candidate committee’ means a commit-
7 tee established, financed, maintained, or controlled
8 by a non-Federal candidate.”.

9 (c) LIMITATION APPLIED AT NATIONAL LEVEL.—
10 Section 315(d)(3) of the Federal Election Campaign Act
11 of 1971 (2 U.S.C. 441a(d)(3)) is amended—

12 (1) by striking “(3) The national” and inserting
13 the following:

14 “(3) CANDIDATES FOR THE SENATE AND THE
15 HOUSE OF REPRESENTATIVES.—

16 “(A) IN GENERAL.—The national”;

17 (2) by redesignating subparagraphs (A), (B),
18 and (C) as clauses (i), (ii), and (iii), respectively,
19 and adjusting the margins as appropriate; and

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

21 “(2) EXPENDITURES BY CONGRESSIONAL CAM-
22 PAIGN COMMITTEES.—Notwithstanding paragraph
23 (1), a congressional campaign committee of a politi-
24 cal party shall make the expenditures described in
25 paragraph (1) that are authorized to be made by a

1 national or State committee with respect to a can-
2 didate in any State unless the congressional cam-
3 paign committee allocates all or a portion of the ex-
4 penditures to either or both of those committees.”.

5 (d) APPLICATION OF LIMITATIONS TO ENTIRE ELEC-
6 TION CYCLE.—Section 315(d) of the Federal Election
7 Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended—

8 (1) in paragraph (1) by striking “general”; and
9 (2) in the first sentence of paragraph (2) and
10 in paragraph (3)—

11 (A) by striking “general”; and

12 (B) by striking “which” and inserting
13 “that, during an election cycle,”.

14 **SEC. 314. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
15 **AND OFFICEHOLDERS.**

16 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
17 of the Federal Election Campaign Act of 1971 (2 U.S.C.
18 441a) (as amended by section 301) is amended by adding
19 at the end the following:

20 “(j) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
21 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
22 TAIN POLITICAL COMMITTEES.—

23 “(1) IN GENERAL.—For purposes of this Act, a
24 candidate, an individual holding Federal office, or
25 any agent of the candidate or individual may not so-

1 licit funds to, or receive funds on behalf of, any per-
2 son—

3 “(A) that are to be expended in connection
4 with any election for Federal office unless the
5 funds are subject to the limitations, prohibi-
6 tions, and requirements of this Act; or

7 “(B) that are to be expended in connection
8 with any election for other than Federal office
9 unless the funds are not in excess of amounts
10 permitted with respect to Federal candidates
11 and political committees under paragraphs (1)
12 and (2) of subsection (a), and are not from
13 sources prohibited by those paragraphs with re-
14 spect to elections to Federal office.

15 “(2) LIMITATION ON SOLICITATIONS.—

16 “(A) IN GENERAL.—The aggregate
17 amount that a person described in subpara-
18 graph (B) may solicit from a multicandidate po-
19 litical committee for State committees described
20 in subsection (a)(1)(C) (including subordinate
21 committees) for any calendar year shall not ex-
22 ceed the dollar amount in effect under sub-
23 section (a)(2)(B) for the calendar year.

24 “(B) APPLICABILITY.—A person is de-
25 scribed in this subparagraph if the person is a

1 candidate, an individual holding Federal office,
2 an agent of such a candidate or individual, or
3 a national, State, district, or local committee of
4 a political party (including a subordinate com-
5 mittee) or an agent of such a committee.

6 “(3) APPEARANCE OR PARTICIPATION IN A
7 FUNDRAISING EVENT.—The appearance or participa-
8 tion by a candidate or individual holding Federal of-
9 fice in a fundraising event conducted by a committee
10 of a political party or a non-Federal candidate shall
11 not be treated as a solicitation for purposes of para-
12 graph (1) if the candidate or individual does not so-
13 licit or receive, or make disbursements from, any
14 funds resulting from the activity.

15 “(4) STATE LAW.—Paragraph (1) shall not
16 apply to the solicitation or receipt of funds, or dis-
17 bursements, by an individual who is a non-Federal
18 candidate if the activity is permitted under State
19 law.

20 “(5) DEFINITION.—For purposes of this sub-
21 section, an individual shall be treated as holding
22 Federal office if the individual—

23 “(A) holds a Federal office; or

1 **SEC. 315. REPORTING REQUIREMENTS.**

2 (a) REPORTING REQUIREMENTS.—Section 304 of the
3 Federal Election Campaign Act of 1971 (2 U.S.C. 434)
4 (as amended by section 112(a)) is amended by adding at
5 the end the following:

6 “(f) POLITICAL COMMITTEES.—

7 “(1) NATIONAL AND CONGRESSIONAL POLITI-
8 CAL COMMITTEES.—The national committee of a po-
9 litical party, a congressional campaign committee of
10 a political party, and any subordinate committee of
11 a national committee or congressional campaign
12 committee of a political party, shall report all re-
13 cepts and disbursements during the reporting pe-
14 riod, whether or not in connection with an election
15 for Federal office...

16 “(2) OTHER POLITICAL COMMITTEES TO WHICH
17 SECTION 325 APPLIES.—A political committee (not
18 described in paragraph (1)) to which section 325 ap-
19 plies shall report all receipts and disbursements, in-
20 cluding separate schedules for receipts and disburse-
21 ments for a State Grassroots Fund.

22 “(3) TRANSFERS.—A political committee to
23 which section 325 applies shall—

24 “(A) include in a report under paragraph
25 (1) or (2) the amount of any transfer described
26 in section 325(d)(2); and

1 “(B) itemize those amounts to the extent
2 required by section 304(b)(3)(A).

3 “(4) OTHER POLITICAL COMMITTEES.—Any po-
4 litical committee to which paragraph (1) or (2) does
5 not apply shall report any receipts or disbursements
6 that are used in connection with a Federal election.

7 “(5) ITEMIZATION.—If a political committee
8 has receipts or disbursements to which this sub-
9 section applies from any person aggregating in ex-
10 cess of \$200 for any calendar year, the political
11 committee shall separately itemize its reporting for
12 the person in the same manner as under paragraphs
13 (3)(A), (5), and (6) of subsection (b).

14 “(6) REPORTING PERIODS.—Reports required
15 to be filed by this subsection shall be filed for the
16 same time periods as reports are required for politi-
17 cal committees under subsection (a).”.

18 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
19 301(8) of the Federal Election Campaign Act of 1971 (2
20 U.S.C. 431(8)) is amended by adding at the end the fol-
21 lowing:

22 “(C) REPORTING REQUIREMENT.—The ex-
23 clusion provided in subparagraph (B)(viii) shall
24 not apply for purposes of any requirement to
25 report contributions under this Act, and all

1 such contributions aggregating in excess of
2 \$200 shall be reported.”.

3 (c) **REPORTS BY STATE COMMITTEES.**—Section 304
4 of the Federal Election Campaign Act of 1971 (2 U.S.C.
5 434 (as amended by subsection (a)) is amended by adding
6 at the end the following:

7 “(g) **FILING OF STATE REPORTS.**—In lieu of any re-
8 port required to be filed under this Act, the Commission
9 may allow a State committee of a political party to file
10 with the Commission a report required to be filed under
11 State law if the Commission determines that such a report
12 contains substantially the same information as a report
13 required under this Act.”.

14 (d) **OTHER REPORTING REQUIREMENTS.**—

15 (1) **AUTHORIZED COMMITTEES.**—Section
16 304(b)(4) of the Federal Election Campaign Act of
17 1971 (2 U.S.C. 434(b)(4)) is amended—

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

20 (B) by inserting “and” at the end of sub-
21 paragraph (I); and

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

23 “(J) in the case of an authorized commit-
24 tee, disbursements for the primary election, the

1 general election, and any other election in which
2 the candidate participates;”.

3 (2) NAMES AND ADDRESSES.—Section
4 304(b)(5)(A) of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 434(b)(5)(A)) is amended—

6 (A) by striking “within the calendar year”;

7 and

8 (B) by striking “such operating expendi-
9 ture” and inserting “operating expense, and the
10 election to which the operating expense re-
11 lates”.

12 **Subtitle C—Soft Money of Persons**
13 **Other Than Political Parties**

14 **SEC. 321. SOFT MONEY OF PERSONS OTHER THAN POLITI-**
15 **CAL PARTIES.**

16 Section 304 of the Federal Election Campaign Act
17 of 1971 (2 U.S.C. 434) (as amended by section 315(c))
18 is amended by adding at the end the following:

19 “(h) ELECTION ACTIVITY OF PERSONS OTHER THAN
20 POLITICAL PARTIES.—

21 “(1) INITIAL STATEMENT.—A person to which
22 section 325 does not apply that makes (or obligates
23 to make) aggregate disbursements totaling in excess
24 of \$2,000 for activities described in section 325(c)
25 shall file a statement with the Commission—

1 “(A) within 48 hours after the disburse-
2 ments or obligations in excess of \$2,000 are
3 made; or

4 “(B) in the case of disbursements or obli-
5 gations that are made within 14 days of an
6 election, on or before the 14th day before the
7 election.

8 “(2) ADDITIONAL STATEMENTS.—An additional
9 statement shall be filed each time additional dis-
10 bursements aggregating \$2,000 are made by a per-
11 son described in paragraph (1).

12 “(4) APPLICABILITY.—This subsection does not
13 apply to—

14 “(A) a candidate or a candidate’s author-
15 ized committees; or

16 “(B) an independent expenditure.

17 “(5) CONTENTS.—A statement under this sec-
18 tion shall contain such information about the dis-
19 bursements as the Commission shall prescribe, in-
20 cluding if applicable, whether the disbursement was
21 in support of, or in opposition to, a candidate or a
22 political party.

23 “(6) PLACE OF FILING.—A statement under
24 this section shall be filed with the Secretary of the
25 Senate or the Clerk of the House of Representatives,

1 and the Secretary of State (or equivalent official) of
2 the candidate's State. The Secretary of the Senate
3 or Clerk of the House of Representatives shall, as
4 soon as possible (but not later than 24 hours after
5 receipt), transmit a copy of the statement to the
6 Commission.

7 “(7) TRANSMITTAL.—Not later than 48 hours
8 after receipt, the Commission shall transmit a state-
9 ment filed under this subsection—

10 “(A) to the candidates or political parties in-
11 volved in the election in question; or

12 “(B) if the disbursement is not in support of,
13 or in opposition to, a candidate or political party, to
14 the State committees of each political party in the
15 State in question.

16 “(8) DETERMINATIONS BY THE COMMISSION.—
17 The Commission may make its own determination
18 that disbursements described in paragraph (1) have
19 been made or are obligated to be made. The Com-
20 mission shall notify the candidates or political par-
21 ties described in paragraph (2) not later than 24
22 hours after its determination.”

1 **TITLE IV—CONTRIBUTIONS**

2 **SEC. 401. PROHIBITION OF CERTAIN CONTRIBUTIONS BY**
3 **LOBBYISTS.**

4 Section 315 of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 441a) (as amended by section 314(b))
6 is amended by adding at the end the following:

7 “(m) PROHIBITION OF CERTAIN CONTRIBUTIONS BY
8 LOBBYISTS.—

9 “(1) IN GENERAL.—A lobbyist, or a political
10 committee controlled by a lobbyist, shall not make a
11 contribution to—

12 “(A) a Federal officeholder or candidate
13 for Federal office if, during the preceding 12
14 months, the lobbyist has made a lobbying con-
15 tact with the officeholder or candidate; or

16 “(B) any authorized committee of the
17 President or Vice President of the United
18 States if, during the preceding 12 months, the
19 lobbyist has made a lobbying contact with a
20 covered executive branch official.

21 “(2) CONTRIBUTIONS TO MEMBER OF CON-
22 GRESS OR CANDIDATE FOR CONGRESS.—A lobbyist
23 who, or a lobbyist whose political committee, has
24 made a contribution to a member of Congress or
25 candidate for Congress (or any authorized committee

1 of the President) shall not, during the 12 months
2 following such contribution, make a lobbying contact
3 with the member or candidate who becomes a mem-
4 ber of Congress or with a covered executive branch
5 official.

6 “(3) DEFINITIONS.—In this subsection the
7 terms ‘covered executive branch official’, ‘lobbying
8 contact’, and ‘lobbyist’ have the meanings given
9 those terms in section 3 of the Federal Lobbying
10 Disclosure Act of 1995 (2 U.S.C. 1602) except
11 that—

12 “(A) the term ‘lobbyist’ includes a person
13 required to register under the Foreign Agents
14 Registration Act of 1938 (22 U.S.C. 611 et
15 seq.); and

16 “(B) for purposes of this subsection, a lob-
17 byist shall be considered to make a lobbying
18 contact or communication with a member of
19 Congress if the lobbyist makes a lobbying con-
20 tact or communication with—

21 “(i) the member of Congress;

22 “(ii) any person employed in the office
23 of the member of Congress; or

24 “(iii) any person employed by a com-
25 mittee, joint committee, or leadership of-

1 fice who, to the knowledge of the lobbyist,
2 was employed at the request of or is em-
3 ployed at the pleasure of, reports primarily
4 to, represents, or acts as the agent of the
5 member of Congress.”.

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 section 401(a))
10 is amended by adding at the end the following:

11 “(n) DEPENDENTS NOT OF VOTING AGE.—

12 “(1) IN GENERAL.—For purposes of this sec-
13 tion, any contribution by an individual who—

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

16 “(B) has not, as of the time of the making
17 of the contribution, attained the legal age for
18 voting in an election to Federal office in the
19 State in which the individual resides;

20 shall be treated as having been made by the other
21 individual.

22 “(2) ALLOCATION BETWEEN SPOUSES.—If an
23 individual described in paragraph (1) is the depend-
24 ent of another individual and the other individual’s
25 spouse, a contribution described in paragraph (1)

1 shall be allocated among those individuals in a man-
2 ner determined by the individuals.”.

3 **SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE**
4 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
5 **TIES TO BE AGGREGATED.**

6 Section 315(a) of the Federal Election Campaign Act
7 of 1971 (2 U.S.C. 441a(a)) (as amended by section
8 102(b)) is amended by adding at the end the following:

9 “(10) AGGREGATION OF CONTRIBUTIONS FROM
10 STATE AND LOCAL COMMITTEES OF POLITICAL PAR-
11 TIES.—Notwithstanding paragraph (5)(B), a can-
12 didate may not accept, with respect to an election,
13 any contribution from a State or local committee of
14 a political party (including any subordinate commit-
15 tee of such a committee), if the contribution, when
16 added to the total of contributions previously accept-
17 ed from all such committees of that political party,
18 would cause the total amount of contributions to ex-
19 ceed a limitation on contributions to a candidate
20 under this section.”.

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

4 Title III of the Federal Election Campaign Act of
5 1971 (2 U.S.C. 431) (as amended by section 313) is
6 amended by adding at the end the following:

7 **“SEC. 326. USE OF PHYSICAL FORCE OR INTIMIDATION TO**
8 **OBTAIN A CONTRIBUTION OR EXPENDITURE**
9 **OR DETER THE FILING OF A COMPLAINT.**

10 “It shall be unlawful for any person to—

11 “(1) cause another person to make a contribu-
12 tion or expenditure by using physical force, job dis-
13 crimination, a financial reprisal, a threat of physical
14 force, job discrimination, or financial reprisal, or
15 taking or threatening to take other adverse action;

16 “(2) make a contribution or expenditure utiliz-
17 ing money or anything of value secured in the man-
18 ner described in paragraph (1).”or

19 “(3) use physical force, job discrimination, or
20 financial reprisal, a threat of physical force, job dis-
21 crimination, or financial reprisal, or take or threaten
22 to take other adverse action, against an employee,
23 union member, or other person—

24 “(A) to deter or prevent any person from
25 filing a complaint, providing testimony, or oth-

1 otherwise cooperating with enforcement efforts
2 under this Act; or

3 “(B) to retaliate against any person who
4 has filed a complaint, provided testimony, or
5 otherwise cooperated with enforcement efforts
6 under this Act.”.

7 **SEC. 405. PROHIBITION OF ACCEPTANCE BY A CANDIDATE**
8 **OF CASH CONTRIBUTIONS FROM ANY ONE**
9 **PERSON AGGREGATING MORE THAN \$100.**

10 Section 321 of the Federal Election Campaign Act
11 of 1971 (2 U.S.C. 441g) is amended by inserting “, and
12 no candidate or authorized committee of a candidate shall
13 accept from any 1 person,” after “make”.

14 **TITLE V—AUTHORITIES AND DU-**
15 **TIES OF THE FEDERAL ELEC-**
16 **TION COMMISSION**

17 **SEC. 501. FILING OF REPORTS USING COMPUTERS AND**
18 **FACSIMILE MACHINES.**

19 Section 302(g) of the Federal Election Campaign Act
20 of 1971 (2 U.S.C. 432(g)) is amended by adding at the
21 end the following:

22 “(6) FILING OF REPORTS USING COMPUTERS
23 AND FACSIMILE MACHINES.—

24 “(A) COMPUTERS.—The Commission, in
25 consultation with the Secretary of the Senate

1 and the Clerk of the House of Representatives,
2 may issue a regulation under a person required
3 to file a designation, statement, or report under
4 this Act—

5 “(i) are required to maintain and file
6 the designation, statement, or report for
7 any calendar year in electronic form acces-
8 sible by computers if the person has, or
9 has reason to expect to have, aggregate
10 contributions or expenditures in excess of a
11 threshold amount determined by the Com-
12 mission; and

13 “(ii) may maintain and file the des-
14 ignation, statement, or report in that man-
15 ner if not required to do so under a regula-
16 tion under clause (i).

17 “(B) FACSIMILE MACHINES.—The Com-
18 mission, in consultation with the Secretary of
19 the Senate and the Clerk of the House of Rep-
20 resentatives, shall prescribe a regulation that
21 allows a person to file a designation, statement,
22 or report required by this Act through the use
23 of a facsimile machine.

24 “(C) VERIFICATION.—In a regulation
25 under this paragraph, the Commission shall

1 provide methods (other than requiring a signa-
2 ture on the document being filed) for verifying
3 a designation, statement, or report. Any docu-
4 ment verified under any of the methods shall be
5 treated for all purposes (including penalties for
6 perjury) in the same manner as a document
7 verified by signature.

8 “(D) COMPATIBILITY OF SYSTEMS.—The
9 Secretary of the Senate and the Clerk of the
10 House of Representatives shall ensure that any
11 computer or other system that the Secretary or
12 the Clerk may develop and maintain to receive
13 designations, statements, and reports in the
14 forms required or permitted under this para-
15 graph is compatible with any system that the
16 Commission may develop and maintain.”.

17 **SEC. 502. INCREASE IN THRESHOLD FOR REPORTING RE-**
18 **QUIREMENTS.**

19 (a) IDENTIFICATION OF CONTRIBUTORS.—Section
20 302(e)(3) of the Federal Election Campaign Act of 1971
21 (2 U.S.C. 432(e)(3)) is amended by striking “\$200” and
22 inserting “\$50”.

23 (b) IDENTIFICATION OF DISBURSEMENTS.—Section
24 302(e)(5) of the Federal Election Campaign Act of 1971

1 (2 U.S.C. 432(c)(5)) is amended by striking “\$200” and
2 inserting “\$50”.

3 **SEC. 503. AUDITS.**

4 (a) **RANDOM AUDITS.**—Section 311(b) of the Federal
5 Election Campaign Act of 1971 (2 U.S.C. 438(b)) is
6 amended—

7 (1) by inserting “(1)” before “The Commis-
8 sion”; and

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

10 “(2) **RANDOM AUDITS.**—Notwithstanding paragraph
11 (1), the Commission may from time to time conduct ran-
12 dom audits and investigations to ensure voluntary compli-
13 ance with this Act. The subjects of such audits and inves-
14 tigations shall be selected on the basis of criteria estab-
15 lished by vote of at least 4 members of the Commission
16 to ensure impartiality in the selection process. This para-
17 graph does not apply to an authorized committee of a can-
18 didate for President or Vice President subject to audit
19 under title VI or to an authorized committee of an eligible
20 Senate candidate or an eligible House candidate subject
21 to audit under section 522(a).”.

22 (b) **EXTENSION OF PERIOD DURING WHICH CAM-
23 PAIGN AUDITS MAY BE BEGUN.**—Section 311(b) of the
24 Federal Election Campaign Act of 1971 (2 U.S.C.

1 438(b)), as redesignated by subsection (a), is amended by
2 striking “6 months” and inserting “12 months”.

3 **SEC. 504. AUTHORITY TO SEEK INJUNCTION.**

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

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

7 “(13)(A) If, at any time in a proceeding described
8 in paragraph (1), (2), (3), or (4), the Commission believes
9 that—

10 “(i) there is a substantial likelihood that a vio-
11 lation of this Act is occurring or is about to occur;

12 “(ii) the failure to act expeditiously will result
13 in irreparable harm to a party affected by the poten-
14 tial violation;

15 “(iii) expeditious action will not cause undue
16 harm or prejudice to the interests of others; and

17 “(iv) the public interest would be best served by
18 the issuance of an injunction;

19 the Commission may initiate a civil action for a temporary
20 restraining order or a temporary injunction pending the
21 outcome of the proceedings described in paragraphs (1),
22 (2), (3), and (4).

23 “(B) An action under subparagraph (A) shall be
24 brought in the United States district court for the district
25 in which the defendant resides, transacts business, or may

1 be found or in which the violation is occurring, has oc-
2 curred, or is about to occur.”;

3 (2) in paragraph (7), by striking “(5) or (6)”
4 and inserting “(5), (6), or (13)”;

5 (3) in paragraph (11), by striking “(6)” and in-
6 serting “(6) or (13)”.

7 **SEC. 505. PENALTIES.**

8 (a) INCREASED PENALTIES.—Section 309(a) of the
9 Federal Election Campaign Act of 1971 (2 U.S.C.
10 437g(a)) is amended—

11 (1) in paragraphs (5)(A), (6)(A), and (6)(B) by
12 striking “\$5,000” and inserting “\$10,000”;

13 (2) in paragraph (5)(B) by striking “the great-
14 er of \$10,000 or an amount equal to 200 percent”
15 and inserting “the greater of \$20,000 or 300 per-
16 cent”;

17 (3) in paragraph (6)(C) by striking “the great-
18 er of \$10,000 or an amount equal to 200 percent”
19 and inserting “the greater of \$20,000 or 300 per-
20 cent”.

21 (b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of
22 the Federal Election Campaign Act of 1971 (2 U.S.C.
23 437g(a)(5)) is amended by striking the period and insert-
24 ing “, and, if authorized by the agreement, may include
25 equitable remedies or penalties including disgorgement of

1 funds to the United States Treasury, community service
2 requirements, suspension or disbarment of treasurers, or
3 public education requirements.”.

4 (c) AUTOMATIC PENALTY FOR LATE FILING.—Sec-
5 tion 309(a) of the Federal Election Campaign Act of 1971
6 (2 U.S.C. 437g(a)) is amended—

7 (1) by adding at the end the following:

8 “(13) PENALTY FOR LATE FILING.—

9 “(A) IN GENERAL.—The Commission shall
10 establish a schedule of mandatory monetary
11 penalties that shall be imposed by the staff di-
12 rector of the Commission for any failure to
13 meet the time requirements for filing under sec-
14 tion 304.

15 “(B) REQUIRED FILING OF LATE RE-
16 PORT.—The Commission may require a report
17 that has not been filed within the time require-
18 ments of section 304 to be filed by a specific
19 date.

20 “(C) PROCEDURE FOR ASSESSING PEN-
21 ALTIES AND FILING DEADLINES.—Penalties
22 and filing requirements imposed under this
23 paragraph shall not be subject to paragraph
24 (1), (2), (3), (4), (5) or (12).

25 “(D) APPEALS.—

1 “(i) IN GENERAL.—A political com-
2 mittee shall have 30 days after the imposi-
3 tion of penalty or filing requirement under
4 this paragraph to file an exception with the
5 Commission.

6 “(ii) COMMISSION DETERMINATION.—
7 Within 30 days after receiving the excep-
8 tion, the Commission shall make a deter-
9 mination that is a final agency action sub-
10 ject to exclusive review by the United
11 States Court of Appeals for the District of
12 Columbia Circuit under section 706 of title
13 5, United States Code, upon petition filed
14 in the court by the political committee that
15 is the subject of the agency action, if the
16 petition is filed within 30 days of the Com-
17 mission action for which review is
18 sought.”;

19 (2) in paragraph (5)(D)—

20 (A) by inserting after the first sentence the
21 following: “In any case in which a penalty or
22 filing requirement imposed on a political com-
23 mittee or treasurer under paragraph (13) has
24 not been satisfied, the Commission may insti-

1 tute a civil action for enforcement under para-
2 graph 6(A).”; and

3 (B) by inserting before the period in the
4 last sentence “or has failed to pay a penalty or
5 meet a filing requirement imposed under para-
6 graph (13)”; and

7 (3) in paragraph (6)(A), by striking “paragraph
8 (4)(A)” and inserting “paragraph (4)(A) or (13)”.

9 **SEC. 506. INDEPENDENT LITIGATING AUTHORITY.**

10 (a) LITIGATING AUTHORITY.—Section 306(f) of Fed-
11 eral Election Campaign Act of 1971 (2 U.S.C. 437c(f))
12 is amended by striking paragraph (4) and inserting the
13 following:

14 “(4) INDEPENDENT LITIGATING AUTHORITY.—

15 “(A) IN GENERAL.—Notwithstanding para-
16 graph (2) or any other provision of law, the
17 Commission is authorized to appear on its own
18 behalf in any action related to the exercise of
19 its statutory duties or powers in any court as
20 a party or amicus curiae, either—

21 “(i) by attorneys employed in the of-
22 fice of the Commission, or

23 “(ii) by counsel whom the Commission
24 may appoint, on a temporary basis, as may
25 be necessary for such purpose, without re-

1 “(C) REFERRAL TO THE ATTORNEY GEN-
2 ERAL.—The Commission may at any time, by
3 an affirmative vote of 4 of its members, refer
4 a possible violation of this Act or chapter 95 or
5 chapter 96 of the Internal Revenue Code of
6 1986 to the Attorney General of the United
7 States, without regard to any limitations set
8 forth in this section.”.

9 **SEC. 508. POWERS OF THE COMMISSION.**

10 (a) INITIATION OF ENFORCEMENT PROCEEDING.—
11 Section 309(a)(2) of Federal Election Campaign Act of
12 1971 (2 U.S.C. 437g(a)(2)) is amended by striking “rea-
13 son to believe that” and inserting “reason to investigate
14 whether”.

15 (b) SERVICE OF PROCESS.—Section 306(f) of the
16 Federal Election Campaign Act of 1971 (2 U.S.C.
17 437c(f)) is amended by inserting at the end the following:

18 “(5) SERVICE OF PROCESS.—In any matter
19 under this Act or under chapter 95 or chapter 96
20 of the Internal Revenue Code of 1986, the Commis-
21 sion may at its discretion, without court order and
22 with or without reimbursement, require the United
23 States Marshal Service to serve process on behalf of
24 the Commission, including serving a summons, sub-
25 poena, or complaint, upon any person.”.

1 (c) VENUE FOR VIOLATIONS ADJUDICATED IN
2 COURT.—Section 309(a)(6)(A) of Federal Election Cam-
3 paign Act of 1971 (2 U.S.C. 437g(a)(6)(A)) is amended
4 by striking “for the district in which the person against
5 whom such action is brought is found, resides, or transacts
6 business” and inserting “in which the defendant resides,
7 transacts business, or is found or in which the violation
8 occurred”.

9 (d) FILING OF REPORTS WITH COMMISSION IN-
10 STEAD OF THE SECRETARY OF THE SENATE.—

11 (1) SECTION 302.—Section 302(g) of the Fed-
12 eral Election Campaign Act of 1971 (2 U.S.C.
13 432(g)) is amended—

14 (A) by striking “(g)(1)” and all that fol-
15 lows through “(3) All” and inserting “(g) FIL-
16 ING.—”;

17 (B) by striking paragraph (4); and

18 (C) by striking “, except designations,
19 statements, and reports filed in accordance with
20 paragraph (1),”.

21 (2) SECTION 304.—Section 304 of Federal
22 Election Campaign Act of 1971 (2 U.S.C. 434) is
23 amended—

1 (A) in the first sentence of subsection
2 (a)(6), by striking “the Secretary, or the Com-
3 mission,” and inserting “the Commission”; and

4 (B) in the third sentence of subsection
5 (c)(2), by striking “the Secretary, or”.

6 (3) SECTION 311.—Section 311(a)(4) of Fed-
7 eral Election Campaign Act of 1971 (2 U.S.C.
8 438(a)(4)) is amended by striking “Secretary, or
9 the”.

10 (e) AUTHORIZATION TO ACCEPT GIFTS.—Section
11 306(f) of the Federal Election Campaign Act of 1971 (2
12 U.S.C. 437c(f)) is amended by adding at the end the fol-
13 lowing:

14 “(6) AUTHORIZATION TO ACCEPT GIFTS.—

15 “(A) IN GENERAL.—To carry out the pur-
16 poses of this Act, the Commission may accept,
17 hold, administer, and utilize gifts, devises, and
18 bequests of property, both real and personal, if
19 the acceptance and use of the gifts, devises, or
20 bequests does not create a conflict of interest.

21 “(B) DEPOSIT OF GIFTS.—Gifts and be-
22 quests of money and proceeds from sales of
23 other property received as gifts, devises, or be-
24 quests shall be deposited in the Treasury and

1 shall be disbursed upon the order of the Com-
2 mission.

3 “(C) USE OF GIFTS.—Property accepted
4 pursuant to this section, and the proceeds from
5 the property, shall be used as closely as prac-
6 ticable in accordance with the terms of the
7 gifts, devises, or bequests.”

8 **TITLE VI—MISCELLANEOUS**

9 **SEC. 601. PROHIBITION OF LEADERSHIP COMMITTEES.**

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

12 (1) by striking paragraph (3) and inserting the
13 following:

14 “(3) LIMITATIONS.—A political committee that
15 supports or has supported more than 1 candidate
16 shall not be designated as an authorized committee,
17 except that—

18 “(A) a candidate for the office of President
19 nominated by a political party may designate
20 the national committee of the political party as
21 the candidate’s principal campaign committee if
22 the national committee maintains separate
23 books of account with respect to its functions as
24 a principal campaign committee; and

1 “(B) a candidate may designate a political
2 committee established solely for the purpose of
3 joint fundraising by such candidates as an au-
4 thorized committee.”; and

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

6 “(6) PROHIBITION OF LEADERSHIP COMMIT-
7 TEES.—

8 “(A) IN GENERAL.—

9 “(i) PROHIBITION.—A candidate or
10 an individual holding Federal office shall
11 not establish, finance, maintain, or control
12 any political committee or non-Federal po-
13 litical committee other than a principal
14 campaign committee of the candidate, au-
15 thorized committee, party committee, or
16 other political committee designated in ac-
17 cordance with paragraph (3).

18 “(ii) CANDIDATE FOR MORE THAN 1
19 OFFICE.—A candidate for more than 1
20 Federal office may designate a separate
21 principal campaign committee for the cam-
22 paign for election to each Federal office.

23 “(iii) CANDIDATES FOR STATE OR
24 LOCAL OFFICE.—This paragraph does not
25 preclude a Federal officeholder who is a

1 candidate for State or local office from es-
2 tablishing, financing, maintaining, or con-
3 trolling a political committee for election of
4 the individual to the State or local office.

5 “(B) TRANSITION.—

6 “(i) CONTINUATION FOR 12
7 MONTHS.—For a period of 12 months
8 after the effective date of this paragraph,
9 any political committee established before
10 that date but that is prohibited under sub-
11 paragraph (A) may continue to make con-
12 tributions.

13 “(ii) DISBURSEMENT AT THE END OF
14 12 MONTHS.—At the end of the 12-month
15 period, the political committee shall dis-
16 burse all funds by 1 or more of the follow-
17 ing means:

18 “(I) Making contributions to a
19 person described in section 501(c)(3)
20 of the Internal Revenue Code of 1986
21 and exempt from taxation under sec-
22 tion 501(a) of the Code.

23 “(II) Making a contribution to
24 the Treasury of the United States.

1 “(III) Contributing to the na-
2 tional, State, or local committee of a
3 political party.

4 “(IV) Making a contribution of
5 not to exceed \$1,000 each to 1 or
6 more candidates or non-Federal can-
7 didates.”.

8 **SEC. 602. TELEPHONE VOTING BY PERSONS WITH DISABIL-**
9 **ITIES.**

10 (a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH
11 DISABILITIES TO VOTE BY TELEPHONE.—

12 (1) IN GENERAL.—The Federal Election Com-
13 mission shall conduct a study to determine the fea-
14 sibility of developing a system or systems by which
15 persons with disabilities may be permitted to vote by
16 telephone.

17 (2) CONSULTATION.—The Federal Election
18 Commission shall conduct the study described in
19 paragraph (1) in consultation with State and local
20 election officials, representatives of the telecommuni-
21 cations industry, representatives of persons with dis-
22 abilities, and other concerned members of the public.

23 (3) CRITERIA.—The system or systems devel-
24 oped pursuant to paragraph (1) shall—

1 (A) propose a description of the kinds of
2 disabilities that impose such difficulty in travel
3 to polling places that a person with a disability
4 who may desire to vote is discouraged from un-
5 dertaking such travel;

6 (B) propose procedures to identify persons
7 who are so disabled; and

8 (C) describe procedures and equipment
9 that may be used to ensure that—

10 (i) only persons who are entitled to
11 use the system are permitted to use it;

12 (ii) the votes of persons who use the
13 system are recorded accurately and remain
14 secret;

15 (iii) the system minimizes the possibil-
16 ity of vote fraud; and

17 (iv) the system minimizes the finan-
18 cial costs that State and local governments
19 would incur in establishing and operating
20 the system.

21 (4) REQUESTS FOR PROPOSALS.—In developing
22 a system described in paragraph (1), the Federal
23 Election Commission may request proposals from
24 private contractors for the design of procedures and
25 equipment to be used in the system.

1 (5) PHYSICAL ACCESS.—Nothing in this section
2 is intended to supersede or supplant efforts by State
3 and local governments to make polling places phys-
4 ically accessible to persons with disabilities.

5 (6) DEADLINE.—The Federal Election Commis-
6 sion shall submit to Congress the study required by
7 this section not later than 1 year after the effective
8 date of this Act.

9 **SEC. 603. CERTAIN TAX-EXEMPT ORGANIZATIONS NOT SUB-**
10 **JECT TO CORPORATE LIMITS.**

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

14 “(c) PROHIBITIONS NOT TO APPLY TO INDEPEND-
15 ENT EXPENDITURES OF CERTAIN TAX-EXEMPT ORGANI-
16 ZATIONS.—

17 “(1) IN GENERAL.—Nothing in this section
18 shall preclude a qualified nonprofit corporation from
19 making an independent expenditure.

20 “(2) DEFINITION OF QUALIFIED NONPROFIT
21 CORPORATION.—In this subsection, the term ‘quali-
22 fied nonprofit corporation’ means a corporation de-
23 scribed in section 501(c)(4) of the Internal Revenue
24 Code of 1986 that is exempt from taxation under

1 section 501(a) of the Code and that meets the fol-
2 lowing requirements:

3 “(A) PURPOSE.—The only express purpose
4 of the corporation is the promotion of political
5 ideas.

6 “(B) NO TRADE OR BUSINESS.—The cor-
7 poration cannot and does not engage in any ac-
8 tivities that constitute a trade or business.

9 “(C) GROSS RECEIPTS.—The gross re-
10 cepts of the corporation for the calendar year
11 have not (and will not) exceed \$100,000, and
12 the net value of the total assets at any time
13 during the calendar year do not exceed
14 \$250,000.

15 “(D) ESTABLISHMENT.—The corpora-
16 tion—

17 “(i) was not established by—

18 “(I) a person described in section
19 501(c)(6) of the Internal Revenue
20 Code of 1986 that is exempt from tax-
21 ation under section 501(a) of the
22 Code;

23 “(II) a corporation engaged in
24 carrying out a trade or business; or

25 “(III) a labor organization; and

1 “(ii) cannot and does not directly or
2 indirectly accept donations of anything of
3 value from any such person, corporation,
4 or labor organization.

5 “(E) ASSETS AND EARNINGS.—The cor-
6 poration—

7 “(i) has no shareholder or other per-
8 son affiliated with it that could make a
9 claim on its assets or earnings; and

10 “(ii) offers no incentives or disincen-
11 tives for associating or not associating with
12 it other than on the basis of its position on
13 any political issue.

14 “(3) QUALIFIED NONPROFIT CORPORATION
15 TREATED AS POLITICAL COMMITTEE.—If a major
16 purpose of a qualified nonprofit corporation is the
17 making of independent expenditures, and the re-
18 quirements of section 301(4) are met with respect to
19 the corporation, the corporation shall be treated as
20 a political committee.

21 “(4) NOTICE REQUIREMENT.—All solicitations
22 by a qualified nonprofit corporation shall include a
23 notice informing contributors that donations may be
24 used by the corporation to make independent ex-
25 penditures.

1 “(5) REPORTS.—A qualified nonprofit corpora-
2 tion shall file reports as required by subsections (d)
3 and (e) of section 304.

4 **SEC. 604. AIDING AND ABETTING VIOLATIONS OF THE FED-**
5 **ERAL ELECTION CAMPAIGN ACT OF 1971.**

6 Title III of the Federal Election Campaign Act of
7 1971 (as amended by section 404) is amended by adding
8 at the end the following:

9 **“SEC. 327. AIDING AND ABETTING VIOLATIONS.**

10 “With reference to any provision of this Act that
11 places a requirement or prohibition on any person acting
12 in a particular capacity, any person who knowingly aids
13 or abets the person in that capacity in violating that provi-
14 sion may be proceeded against as a principal in the viola-
15 tion.”.

16 **SEC. 605. CAMPAIGN ADVERTISING THAT REFERS TO AN**
17 **OPPONENT.**

18 Title III of the Federal Election Campaign Act of
19 1971 (2 U.S.C. 431 et seq.) (as amended by section 505)
20 is amended by adding at the end the following:

21 **“SEC. 328. CAMPAIGN ADVERTISING THAT REFERS TO AN**
22 **OPPONENT.**

23 “(a) CANDIDATES.—A candidate or candidate’s au-
24 thorized committee that places in the mail a campaign ad-
25 vertisement or any other communication to the general

1 public that directly or indirectly refers to an opponent or
2 the opponents of the candidate in an election, with or with-
3 out identifying any opponent in particular, shall file an
4 exact copy of the communication with the Commission and
5 with the Secretary of State of the candidate's State by
6 not later than 12:00 p.m. on the day on which the commu-
7 nication is first placed in the mail to the general public.

8 “(b) PERSONS OTHER THAN CANDIDATES.—

9 “(1) IN GENERAL.—A person other than a can-
10 didate or candidate's authorized committee that
11 places in the mail a campaign advertisement or any
12 other communication described in paragraph (2)
13 shall file an exact copy of the communication with
14 the Commission and with the Secretary of State of
15 the candidate's State by not later than 12:00 p.m.
16 on the day on which the communication is first
17 placed in the mail to the general public.

18 “(2) ADVOCACY OR REFERENCE TO OPPO-
19 NENT.—A communication is described in this para-
20 graph if it is a communication to the general public
21 that—

22 “(A) advocates the election of a particular
23 candidate in an election; and

24 “(B) directly or indirectly refers to an op-
25 ponent or the opponents of the candidate in the

1 election, with or without identifying any oppo-
2 nent in particular.”.

3 **SEC. 606. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**
4 **ING PRIVILEGE.**

5 Section 3210(a)(6) of title 39, United States Code,
6 is amended by striking subparagraph (A) and inserting
7 the following:

8 “(A) A Member of Congress may not mail
9 any mass mailing as franked mail during a year
10 in which there will be an election for the seat
11 held by the Member during the period between
12 January 1 of that year and the date of the gen-
13 eral election for that office, unless the Member
14 has made a public announcement that the
15 Member will not be a candidate for reelection to
16 that seat or for election to any other Federal
17 office.”.

18 **SEC. 607. PARTICIPATION BY FOREIGN NATIONALS IN PO-**
19 **LITICAL ACTIVITIES.**

20 (a) PROHIBITION.—Section 319 of the Federal Elec-
21 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended—

22 (1) by striking the heading and inserting “PAR-
23 TICIPATION BY FOREIGN NATIONALS IN POLITICAL
24 ACTIVITIES”;

1 (2) by striking subsection (a) and inserting the
2 following:

3 “(a) PROHIBITED CONTRIBUTIONS AND EXPENDI-
4 TURES.—

5 “(1) It shall be unlawful for a foreign national
6 directly or through any other person to make any
7 contribution or expenditure of money or other thing
8 of value, or to promise expressly or impliedly to
9 make any contribution or expenditure, in connection
10 with an election to any political office or in connec-
11 tion with any primary election, convention, or caucus
12 held to select candidates for any political office; or

13 “(2) for any person to solicit, receive, or accept
14 a contribution from a foreign national.”;

15 (3) by redesignating subsection (b) as sub-
16 section (c); and

17 (4) by inserting after subsection (a) the follow-
18 ing:

19 “(b) PROHIBITED ACTIVITIES.—It shall be unlawful
20 for a foreign national or an individual lawfully admitted
21 for permanent residence, as defined by section 101(a)(20)
22 of the Immigration and Nationality Act (8 U.S.C.
23 1101(a)(20), to direct, dictate, control, or directly or indi-
24 rectly participate in the decisionmaking process of any
25 other person, (as defined in 301(11)), with regard to the

1 person's Federal or non-Federal election-related activities,
2 such as a decision concerning the making of a contribution
3 or expenditure in connection with an election for any Fed-
4 eral office or a decision concerning the administration of
5 a political committee.”.

6 (b) AFFIRMATION OF ELIGIBILITY TO MAKE CON-
7 TRIBUTION.—Section 319 of the Federal Election Cam-
8 paign Act of 1971 (2 U.S.C. 441e) (as amended by sub-
9 section (a)) is amended by adding at the end the following:

10 “(d) AFFIRMATION OF ELIGIBILITY TO MAKE CON-
11 TRIBUTION.—A candidate or authorized committee of a
12 candidate shall not accept a contribution in excess of \$500
13 unless the contribution is accompanied by a statement,
14 signed by the person making the contribution, affirming
15 that the person is not a person prohibited by this section
16 from making the contribution.”.

17 **SEC. 608. CERTIFICATION OF COMPLIANCE WITH FOREIGN**
18 **CONTRIBUTION AND SOLICITATION LIMITA-**
19 **TIONS.**

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

22 (1) by redesignating subsection (c) as sub-
23 section (d); and

24 (2) by inserting after subsection (b) the follow-
25 ing:

1 “(c) CERTIFICATION OF COMPLIANCE WITH FOREIGN
2 CONTRIBUTION AND SOLICITATION LIMITATIONS—Each
3 report required under this section shall include a certifi-
4 cation under penalty of perjury that the political commit-
5 tee has not knowingly solicited or accepted contributions
6 prohibited by section 319.”.

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

9 **SEC. 701. EFFECTIVE DATE.**

10 Except as otherwise provided in this Act, this Act and
11 the amendments made by this Act shall take effect on the
12 date of enactment of this Act.

13 **SEC. 702. BUDGET NEUTRALITY.**

14 (a) DELAYED EFFECTIVENESS.—This Act (other
15 than this section) and the amendments made by this Act
16 shall not be effective until the Director of the Office of
17 Management and Budget certifies that the estimated costs
18 under section 252 of the Balanced Budget and Emergency
19 Deficit Control Act of 1985 (2 U.S.C. 902) have been off-
20 set by the enactment of legislation effectuating this Act.

21 (b) FUNDING.—Legislation effectuating this Act
22 shall not provide for general revenue increases, reduce ex-
23 penditures for any existing Federal program, or increase
24 the Federal budget deficit.

1 **SEC. 703. SEVERABILITY.**

2 Except as provided in section 101(c), if any provision
3 of this Act (including any amendment made by this Act),
4 or the application of any such provision to any person or
5 circumstance is held invalid, the validity of any other pro-
6 vision of this Act, or the application of the provision to
7 other persons and circumstances shall not be affected
8 thereby.

9 **SEC. 704. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

10 (a) **DIRECT APPEAL TO SUPREME COURT.**—An ap-
11 peal may be taken directly to the Supreme Court of the
12 United States from any interlocutory order or final judg-
13 ment, decree, or order issued by any court ruling on the
14 constitutionality of any provision of this Act or amend-
15 ment made by this Act.

16 (b) **ACCEPTANCE AND EXPEDITION.**—The Supreme
17 Court shall, if the Court has not previously ruled on the
18 question addressed in the ruling below, accept jurisdiction
19 over, advance on the docket, and expedite the appeal to
20 the greatest extent possible.

21 **SEC. 705. REGULATIONS.**

22 The Federal Election Commission shall prescribe any
23 regulations required to carry out this Act and the amend-
24 ments made by this Act not later than 270 days after the
25 effective date of this Act.