

103^D CONGRESS
1ST SESSION

H. R. 1396

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing for House of Representatives election campaigns, to prohibit contributions by multicandidate political committees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1993

Mr. BEILENSON (for himself and Mr. LEACH) introduced the following bill; which was referred jointly to the Committees on House Administration, Post Office and Civil Service, and Energy and Commerce

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing for House of Representatives election campaigns, to prohibit contributions by multicandidate political committees, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “House of Representa-
5 tives Election Campaign Reform Act of 1993”.

1 **TITLE I—EXPENDITURE LIMITA-**
2 **TIONS, CONTRIBUTION LIM-**
3 **TATIONS, MATCHING FUNDS,**
4 **REDUCED THIRD-CLASS MAIL**
5 **RATE, AND REDUCED BROAD-**
6 **CAST RATES FOR ELIGIBLE**
7 **HOUSE OF REPRESENTA-**
8 **TIVES CANDIDATES**

9 **SEC. 101. NEW TITLE OF THE FEDERAL ELECTION CAM-**
10 **PAIGN ACT OF 1971.**

11 The Federal Election Campaign Act of 1971 (2
12 U.S.C. 431 et seq.) is amended by adding at the end the
13 following new title:

14 **“TITLE V—EXPENDITURE LIM-**
15 **TATIONS, CONTRIBUTION**
16 **LIMITATIONS, AND MATCH-**
17 **ING FUNDS FOR ELIGIBLE**
18 **HOUSE OF REPRESENTA-**
19 **TIVES CANDIDATES**

20 **“SEC. 501. EXPENDITURE LIMITATIONS.**

21 “(a) IN GENERAL.—An eligible House of Representa-
22 tives candidate may not, in an election cycle, make expend-
23 itures aggregating more than \$350,000.

24 “(b) RUNOFF ELECTION AND SPECIAL ELECTION
25 AMOUNTS.—

1 “(1) RUNOFF ELECTION AMOUNT.—In addition
2 to the expenditures under subsection (a), an eligible
3 House of Representatives candidate who is a can-
4 didate in a runoff election may make expenditures
5 aggregating not more than \$100,000 in the general
6 election period.

7 “(2) SPECIAL ELECTION AMOUNT.—An eligible
8 House of Representatives candidate who is a can-
9 didate in a special election may make expenditures
10 aggregating not more than \$350,000 with respect to
11 the special election.

12 “(c) COMPETITIVE PRIMARY.—If, as determined by
13 the Commission, an eligible House of Representatives can-
14 didate in a contested primary election has at least one op-
15 ponent who receives contributions or makes expenditures
16 of \$50,000, subject to the general election period limita-
17 tion in subsection (a), the candidate may make additional
18 expenditures of not more than \$150,000 in the general
19 election period. The additional expenditures shall be from
20 contributions described in section 503(h) and payments
21 described in section 504(g).

22 “(d) NONPARTICIPATING OPPONENT PROVISIONS.—

23 “(1) LIMITATION EXCEPTION.—The limitations
24 imposed by subsections (a) and (b) do not apply in
25 the case of an eligible House of Representatives can-

1 didate if any other candidate seeking nomination or
2 election to that office—

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

5 “(B) receives contributions or makes ex-
6 penditures in excess of \$350,000.

7 “(2) CONTINUED ELIGIBILITY AND ADDITIONAL
8 MATCHING FUNDS.—An eligible House of Represent-
9 atives candidate referred to in paragraph (1)—

10 “(A) shall continue to be eligible for all
11 benefits under this title; and

12 “(B) shall receive matching funds without
13 regard to the ceiling under section 504(a).

14 “(3) REPORTING REQUIREMENT.—A candidate
15 for the office of Representative in, or Delegate or
16 Resident Commissioner to, the Congress who—

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

19 “(B) receives contributions or makes ex-
20 penditures in excess of \$350,000;

21 shall report that the threshold has been reached to
22 the Commission not later than 48 hours after reach-
23 ing the threshold. Not later than 48 hours after the
24 Commission receives a report under this paragraph,

1 the Commission shall transmit a copy of the report
2 to each other candidate in the election.

3 “(e) INDEPENDENT EXPENDITURE PROVISION.—

4 The limitation imposed by subsection (a) does not apply
5 to an eligible House of Representatives candidate if inde-
6 pendent expenditures totaling \$10,000 are made in the
7 same election in favor of another candidate or against the
8 eligible House of Representatives candidate.

9 “(f) EXEMPTION FOR CERTAIN COSTS AND TAXES.—

10 Payments up to \$25,000 for legal and accounting compli-
11 ance costs and Federal and State taxes shall not be con-
12 sidered in the computation of amounts subject to limita-
13 tion under this section.

14 “(g) CIVIL PENALTIES.—

15 “(1) LOW AMOUNT OF EXCESS EXPENDI-
16 TURES.—Any eligible House of Representatives can-
17 didate who makes expenditures that exceed a limita-
18 tion under subsection (a) or subsection (b) by 2.5
19 percent or less shall pay to the Secretary of the
20 Treasury, for deposit in the House of Representa-
21 tives Election Campaign Fund, an amount equal to
22 the amount of the excess expenditures.

23 “(2) MEDIUM AMOUNT OF EXCESS EXPENDI-

24 TURES.—Any eligible House of Representatives can-
25 didate who makes expenditures that exceed a limita-

1 tion under subsection (a) or subsection (b) by more
2 than 2.5 percent and less than 5 percent shall pay
3 to the Secretary of the Treasury, for deposit in the
4 House of Representatives Election Campaign Fund,
5 an amount equal to three times the amount of the
6 excess expenditures.

7 “(3) LARGE AMOUNT OF EXCESS EXPENDI-
8 TURES.—Any eligible House of Representatives can-
9 didate who makes expenditures that exceed a limita-
10 tion under subsection (a) or subsection (b) by 5 per-
11 cent or more shall pay to the Secretary of the Treas-
12 ury, for deposit in the House of Representatives
13 Election Campaign Fund, the amount of matching
14 payments received under section 504 and an amount
15 equal to three times the amount of the excess ex-
16 penditures plus a civil penalty in an amount deter-
17 mined by the Commission.

18 “(h) INDEXING.—The dollar amounts specified in
19 subsections (a), (b), (c), and (e) shall be adjusted in the
20 manner provided in section 315(c), except that, for the
21 purposes of such adjustment, the base period shall be cal-
22 endar year 1993.”.

1 **“SEC. 502. STATEMENT OF PARTICIPATION; CONTINUING**
2 **ELIGIBILITY.**

3 “(a) IN GENERAL.—The Commission shall determine
4 whether a candidate is in compliance with this title and,
5 by reason of such compliance, is eligible to receive benefits
6 under this title. Such determination shall—

7 “(1) in the case of an initial determination, be
8 based on a statement of participation submitted by
9 the candidate; and

10 “(2) in the case of a determination of continu-
11 ing eligibility, be based on relevant additional infor-
12 mation submitted in such form and manner as the
13 Commission may require.

14 “(b) FILING.—The statement of participation re-
15 ferred to in subsection (a) shall be filed not later than
16 January 31 of the election year or on the date on which
17 the candidate files a statement of candidacy, whichever is
18 later.

19 **“SEC. 503. CONTRIBUTION LIMITATIONS.**

20 “(a) ELIGIBLE HOUSE OF REPRESENTATIVES CAN-
21 DIDATE LIMITATION.—An eligible House of Representa-
22 tives candidate may not, with respect to an election cycle,
23 accept contributions aggregating in excess of \$350,000.

24 “(b) TRANSFER PROVISIONS.—A candidate for the
25 office of Representative in, or Delegate or President Com-
26 missioner to, the Congress may not transfer more than

1 \$25,000 from an election cycle to a later election cycle.
2 Any balance in excess of \$25,000 on the last day of Feb-
3 ruary of the year after the election shall, on March 1 of
4 such year, be paid to the Secretary of the Treasury, for
5 deposit in the House of Representatives Election Cam-
6 paign Fund.

7 “(c) RUNOFF AMOUNT.—In addition to the contribu-
8 tions under subsection (a), an eligible House of Represent-
9 atives candidate who is a candidate in a runoff election
10 may accept contributions aggregating not more than
11 \$100,000 in the general election period.

12 “(d) PERSONAL CONTRIBUTIONS.—

13 “(1) IN GENERAL.—An eligible House of Rep-
14 resentatives candidate may not, with respect to an
15 election cycle, make contributions to his or her own
16 campaign totaling more than \$30,000 from the per-
17 sonal funds of the candidate. Contributions from the
18 personal funds of a candidate may not be matched
19 under section 504.

20 “(2) LIMITATION EXCEPTION.—The limitation
21 imposed by paragraph (1) does not apply in the case
22 of an eligible House of Representatives candidate if
23 any other candidate—

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

1 “(B) receives contributions or makes ex-
2 penditures in excess of \$350,000.

3 “(e) CIVIL PENALTIES.—

4 “(1) LOW AMOUNT OF EXCESS CONTRIBU-
5 TIONS.—Any eligible House of Representatives can-
6 didate who accepts contributions that exceed the lim-
7 itation under subsection (a) by 2.5 percent or less
8 shall refund the excess contributions to the persons
9 who made the contributions.

10 “(2) MEDIUM AMOUNT OF EXCESS CONTRIBU-
11 TIONS.—Any eligible House of Representatives can-
12 didate who accepts contributions that exceed a limi-
13 tation under subsection (a) by more than 2.5 per-
14 cent and less than 5 percent shall pay to the Sec-
15 retary of the Treasury, for deposit in the House of
16 Representatives Election Campaign Fund, an
17 amount equal to three times the amount of the ex-
18 cess contributions.

19 “(3) LARGE AMOUNT OF EXCESS CONTRIBU-
20 TIONS.—Any eligible House of Representatives can-
21 didate who accepts contributions that exceed a limi-
22 tation under subsection (a) by 5 percent or more
23 shall pay to the Secretary of the Treasury, for de-
24 posit in the House of Representatives Election Cam-
25 paign Fund, the amount of matching payments re-

1 received under section 504 and an amount equal to
2 three times the amount of the excess contributions
3 plus a civil penalty in an amount determined by the
4 Commission.

5 “(f) EXEMPTION FOR CERTAIN COSTS AND TAXES.—

6 Any amount—

7 “(1) accepted by a candidate for the office of
8 Representative in, or Delegate or Resident Commis-
9 sioner to the Congress; and

10 “(2) up to \$25,000 used for legal and account-
11 ing compliance costs and Federal and State taxes
12 shall not be considered in the computation of
13 amounts subject to limitation under subsection (a).

14 “(g) INDEPENDENT EXPENDITURE PROVISION.—

15 The limitation imposed by subsection (a) does not apply
16 to an eligible House of Representatives candidate if inde-
17 pendent expenditures totaling \$10,000 are made in the
18 same election in favor of another candidate or against the
19 eligible House of Representatives candidate.

20 “(h) COMPETITIVE PRIMARY.—If, as determined by
21 the Commission, an eligible House of Representatives can-
22 didate in a contested primary election has at least one op-
23 ponent who receives contributions or makes expenditures
24 of \$50,000, notwithstanding the limitation in subsection

1 (a), the candidate may, in the general election period, ac-
2 cept additional contributions of not more than \$150,000.

3 “(i) PROHIBITION OF ACCEPTANCE OF
4 MULTICANDIDATE POLITICAL COMMITTEE CONTRIBU-
5 TIONS BY HOUSE OF REPRESENTATIVES CANDIDATES.—
6 A candidate for the office of Representative in, or Dele-
7 gate or Resident Commissioner to, the Congress may not
8 accept any contribution from a multicandidate political
9 committee.

10 “(j) ALTERNATIVE LIMITATION.—If the prohibition
11 under subsection (i) is held unconstitutional, a candidate
12 for the office of Representative in, or Delegate or Resident
13 Commissioner to, the Congress may accept not more than
14 \$1,000 from a multicandidate political committee in an
15 election cycle, but not more than a total of \$70,000 from
16 all multicandidate political committees, except that a can-
17 didate may accept an additional \$30,000 in the case of
18 a competitive primary and \$20,000 in the case of a runoff.

19 “(k) LIMITATION ON ACCEPTANCE OF CONTRIBU-
20 TIONS BY CANDIDATES IN HOUSE OF REPRESENTATIVES
21 ELECTIONS.—A candidate in a House of Representatives
22 election may not accept contributions totaling more than
23 \$500 from any one individual in an election cycle.

24 “(l) INDEXING.—The dollar amounts specified in
25 subsections (a), (c), (d), (g), and (h) shall be adjusted in

1 the manner provided in section 315(c), except that, for
2 the purposes of such adjustment, the base period shall be
3 calendar year 1993.”.

4 **“SEC. 504. MATCHING FUNDS.**

5 “(a) IN GENERAL.—An eligible House of Representa-
6 tives candidate shall be entitled to receive an amount equal
7 to the amount of contributions from individuals residing
8 in the State in which the candidate is seeking election re-
9 ceived by the candidate, but not more than \$175,000, and
10 not to the extent that contributions from any individual
11 during the election cycle exceed \$500 in the aggregate.

12 “(b) INDEPENDENT EXPENDITURE PROVISION.—If,
13 with respect to a general election involving an eligible
14 House of Representatives candidate, independent expendi-
15 tures totaling \$10,000 are made against the eligible House
16 of Representatives candidate or in favor of another can-
17 didate, the eligible House of Representatives candidate
18 shall be entitled, in addition to any amount received under
19 subsection (a), to a matching payment of \$10,000 and ad-
20 ditional matching payments equal to the amount of such
21 independent expenditures above \$10,000, and expendi-
22 tures may be made from such payments without regard
23 to the limitations in section 501.

24 “(c) SPECIFIC REQUIREMENTS.—A candidate for the
25 office of Representative in, or Delegate or Resident Com-

1 missioner to, the Congress may receive matching funds
2 under subsection (a) only if the candidate—

3 “(1) in an election cycle, has received \$10,000
4 in contributions from individuals;

5 “(2) qualifies for the primary or general elec-
6 tion ballot;

7 “(3) has an opponent on the primary or general
8 election ballot; and

9 “(4) files a statement of participation in which
10 the candidate agrees to—

11 “(A) comply with the limitations under
12 sections 501 and 503;

13 “(B) cooperate in the case of any audit by
14 the Commission by furnishing such campaign
15 records and other information as the Commis-
16 sion may require; and

17 “(C) comply with any repayment require-
18 ment under section 505.

19 “(d) WRITTEN INSTRUMENT REQUIREMENT.—No
20 contribution in any form other than a gift of money made
21 by a written instrument that identifies the individual mak-
22 ing the contribution may be used as a basis for any match-
23 ing payment under this section.

24 “(e) HOUSE OF REPRESENTATIVES ELECTION CAM-
25 PAIGN FUND.—There is established in the Treasury a

1 fund, to be known as the ‘House of Representatives Elec-
2 tion Campaign Fund’, consisting of such amounts as may
3 be appropriated by law.

4 “(f) CERTIFICATION AND PAYMENT.—

5 “(1) CERTIFICATION.—Except as provided in
6 paragraphs (2) and (3), not later than 5 days after
7 receiving a request for payment, the Commission
8 shall submit to the Secretary of the Treasury a cer-
9 tification for payment of the amount requested
10 under subsection (a) or (b).

11 “(2) PAYMENTS.—The initial payment under
12 subsection (a) to an eligible candidate shall be
13 \$10,000. All payments shall be—

14 “(A) made not later than 48 hours after
15 certification under paragraph (1); and

16 “(B) subject to proportional reduction in
17 the case of an insufficient balance in the Fund
18 established by subsection (e).

19 “(3) INCORRECT REQUEST.—If the Commission
20 determines that any portion of a request is incorrect,
21 the Commission shall withhold the certification for
22 that portion only and inform the candidate as to
23 how the candidate may correct the request.

24 “(g) COMPETITIVE PRIMARY.—If, as determined by
25 the Commission, an eligible House of Representatives can-

1 didate in a contested primary election has at least one op-
2 ponent who receives contributions or makes expenditures
3 of \$50,000, the candidate shall be entitled to matching
4 funds totaling not more than \$75,000, in addition to any
5 other amount received under this section.

6 “(h) RUNOFF.—In the case of a runoff election, an
7 eligible House of Representatives candidate shall be enti-
8 tled to matching funds totaling not more than \$50,000,
9 in addition to any other amount received under this sec-
10 tion.

11 “(i) INDEXING.—The dollar amounts specified in
12 subsections (a), (b), and (c) (other than the amount in
13 subsection (c) to be taken into account per individual),
14 and subsections (f) and (g) shall be adjusted in the man-
15 ner provided in section 315(c), except that, for the pur-
16 poses of such adjustment, the base period shall be cal-
17 endar year 1993.”.

18 **“SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS.**

19 “(a) GENERAL ELECTION.—After each general elec-
20 tion, the Commission shall conduct an examination and
21 audit of the campaign accounts of 10 percent of the eligi-
22 ble House of Representatives candidates, as designated by
23 the Commission through the use of an appropriate statis-
24 tical method of random selection, to determine whether
25 such candidates have complied with the conditions of eligi-

1 bility and other requirements of this title. No other factors
2 shall be considered in carrying out such an examination
3 and audit. In selecting the accounts to be examined and
4 audited, the Commission shall select all eligible candidates
5 from a congressional district where any eligible candidate
6 is selected for examination and audit.

7 “(b) SPECIAL ELECTION.—After each special elec-
8 tion, the Commission shall conduct an examination and
9 audit of the campaign accounts of all eligible candidates
10 in the election to determine whether the candidates have
11 complied with the conditions of eligibility and other re-
12 quirements of this title.

13 “(c) AFFIRMATIVE VOTE.—The Commission may
14 conduct an examination and audit of the campaign ac-
15 counts of any eligible House of Representatives candidate
16 in a general election if the Commission, by an affirmative
17 vote of 4 members, determines that there exists reason
18 to believe that such candidate has violated any provision
19 of this title.

20 “(d) PAYMENTS.—If the Commission determines that
21 any amount of a payment to a candidate under this title
22 was in excess of the aggregate payments to which such
23 candidate was entitled, the Commission shall so notify the
24 candidate, and the candidate shall pay to the Secretary
25 an amount equal to the excess.

1 **“SEC. 506. JUDICIAL REVIEW.**

2 “(a) JUDICIAL REVIEW.—Any agency action by the
3 Commission made under the provisions of this title shall
4 be subject to review by the United States Court of Appeals
5 for the District of Columbia Circuit upon petition filed in
6 such court within 30 days after the agency action by the
7 Commission for which review is sought.

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

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

14 **“SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL**
15 **PROCEEDINGS.**

16 “(a) APPEARANCES.—The Commission is authorized
17 to appear in and defend against any action instituted
18 under this section and under section 506 either by attor-
19 neys employed in its office or by counsel whom it may ap-
20 point without regard to the provisions of title 5, United
21 States Code, governing appointments in the competitive
22 service, and whose compensation it may fix without regard
23 to the provisions of chapter 51 and subchapter III of chap-
24 ter 53 of such title.

25 “(b) INSTITUTION OF ACTIONS.—The Commission is
26 authorized, through attorneys and counsel described in

1 subsection (a), to institute actions in the district courts
2 of the United States to seek recovery of any amounts de-
3 termined under this title to be payable to the Secretary.

4 “(c) APPEALS.—The Commission is authorized on
5 behalf of the United States to appeal from, and to petition
6 the Supreme Court for certiorari to review, judgments or
7 decrees entered with respect to actions in which it appears
8 pursuant to the authority provided in this section.

9 **“SEC. 508. REPORTS TO CONGRESS; CERTIFICATIONS; REG-**
10 **ULATIONS.**

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

14 “(1) the expenditures (shown in such detail as
15 the Commission determines appropriate) made by
16 each eligible candidate and the authorized commit-
17 tees of such candidate;

18 “(2) the aggregate amount of matching fund
19 payments certified by the Commission under section
20 504 for each eligible candidate; and

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

24 Each report submitted pursuant to this section shall be
25 printed as a House document.

1 “(b) DETERMINATIONS BY COMMISSION.—All deter-
2 minations (including certifications under section 504)
3 made by the Commission under this title shall be final and
4 conclusive, except to the extent that they are subject to
5 examination and audit by the Commission under section
6 505 or judicial review under section 506.

7 “(c) RULES AND REGULATIONS.—The Commission is
8 authorized to prescribe such rules and regulations, in ac-
9 cordance with the provisions of subsection (d), to conduct
10 such audits, examinations and investigations, and to re-
11 quire the keeping and submission of such books, records,
12 and information, as it deems necessary to carry out the
13 functions and duties imposed on it by this title.

14 “(d) REPORT OF PROPOSED REGULATIONS.—The
15 Commission shall submit to the House of Representatives
16 a report containing a detailed explanation and justification
17 of each rule, regulation, and form of the Commission
18 under this title. No such rule, regulation, or form may
19 take effect until a period of 30 legislative days has elapsed
20 after the report is received. As used in this subsection—

21 “(1) the term ‘legislative day’ means any cal-
22 endar day on which the House of Representatives is
23 in session; and

1 “(2) the terms ‘rule’ and ‘regulation’ mean a
2 provision or series of interrelated provisions stating
3 a single, separable rule of law.”.

4 **SEC. 102. DEFINITIONS.**

5 Section 301 of the Federal Election Campaign Act
6 of 1971 (2 U.S.C. 431) is amended by striking out para-
7 graph (19) and inserting in lieu thereof the following new
8 paragraphs:

9 “(19) The term ‘eligible House of Representatives
10 candidate’ means a candidate for election to the office of
11 Representative in, or Delegate or Resident Commissioner
12 to, the Congress, who, as determined by the Commission
13 under section 502, is eligible to receive matching payments
14 and other benefits under title V by reason of filing a state-
15 ment of participation and complying with the continuing
16 eligibility requirements under section 502.

17 “(20) The term ‘general election period’ means, with
18 respect to any candidate, the period beginning on the day
19 after the date of the primary election for the specific office
20 the candidate is seeking, whichever is later, and ending
21 on the earlier of—

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

23 “(B) the date on which the candidate withdraws
24 from the campaign or otherwise ceases actively to
25 seek election; and

1 “(21) The term ‘election cycle’ means—

2 “(A) in the case of a candidate or the author-
3 ized committees of a candidate, the term beginning
4 on the day after the date of the most recent general
5 election for the specific office or seat which such
6 candidate seeks and ending on the date of the next
7 general election for such office or seat; or

8 “(B) for all other persons, the term beginning
9 on the first day following the date of the last general
10 election and ending on the date of the next general
11 election.”.

12 **SEC. 103. EXTENSION OF REDUCED THIRD-CLASS MAILING**
13 **RATES TO ELIGIBLE HOUSE OF REPRESENTA-**
14 **TIVES CANDIDATES.**

15 Section 3626(e) of title 39, United States Code, is
16 amended—

17 (1) in paragraph (2)(A)—

18 (A) by striking out “and the National”
19 and inserting in lieu thereof “the National”;
20 and

21 (B) by striking out “Committee;” and in-
22 sserting in lieu thereof “Committee, and, subject
23 to paragraph (3), the principal campaign com-
24 mittee of an eligible House of Representatives
25 candidate;”;

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

3 (3) in paragraph (2)(C), by striking out the pe-
4 riod and inserting in lieu thereof “; and”;

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

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

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

14 “(3) The rate made available under this subsection
15 with respect to an eligible House of Representatives can-
16 didate shall apply only to that number of pieces of mail
17 equal to 3 times the number of individuals in the voting
18 age population of the congressional district (as certified
19 under section 315(e) of such Act).”.

20 **SEC. 104. BROADCAST RATES AND PREEMPTION.**

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

23 (1) in paragraph (1)—

24 (A) by striking out “forty-five” and insert-
25 ing in lieu thereof “30”;

1 (B) by striking out “sixty” and inserting
2 in lieu thereof “45”; and

3 (C) by striking out “lowest unit charge of
4 the station for the same class and amount of
5 time for the same period” and insert “lowest
6 charge of the station for the same amount of
7 time for the same period on the same date”;
8 and

9 (2) by adding at the end the following new sen-
10 tence:

11 “In the case of an eligible House of Representatives can-
12 didate (as defined in section 301(19) of the Federal Elec-
13 tion Campaign Act of 1971), the charges during the gen-
14 eral election period (as defined in section 301(21) of such
15 Act) shall not exceed 50 percent of the lowest charge de-
16 scribed in paragraph (1).”.

17 (b) PREEMPTION; ACCESS.—Section 315 of such Act
18 (47 U.S.C. 315) is amended by redesignating subsections
19 (c) and (d) as subsections (e) and (f), respectively, and
20 by inserting immediately after subsection (b) the following
21 new subsection:

22 “(c)(1) Except as provided in paragraph (2), a li-
23 censee shall not preempt the use, during any period speci-
24 fied in subsection (b)(1), of a broadcasting station by a
25 legally qualified candidate for public office who has pur-

1 chased and paid for such use pursuant to the provisions
2 of subsection (b)(1).

3 “(2) If a program to be broadcast by a broadcasting
4 station is preempted because of circumstances beyond the
5 control of the broadcasting station, any candidate adver-
6 tising spot scheduled to be broadcast during that program
7 may also be preempted.”.

8 **TITLE II—MISCELLANEOUS PRO-**
9 **VISIONS RELATING TO THE**
10 **FEDERAL ELECTION CAM-**
11 **PAIGN ACT OF 1971**

12 **SEC. 201. TREATMENT OF CERTAIN CONTRIBUTIONS.**

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

16 “(i)(1) An amount of up to \$25,000—

17 “(A) accepted by a candidate for the office of
18 Representative in, or Delegate or Resident Commis-
19 sioner to the Congress; and

20 “(B) used for legal and accounting compliance
21 costs and Federal and State taxes shall be subject
22 to the limitations of this Act.

23 “(2) In addition to any other contributions under this
24 subsection, if, as determined by the Commission, an eligi-
25 ble House of Representatives candidate in a contested pri-

1 mary election, has at least one opponent who receives con-
2 tributions or makes expenditures of \$50,000, the can-
3 didate may, in the general election period, accept contribu-
4 tions of not more than \$150,000.

5 “(3) The dollar amount specified in paragraph (2)
6 (other than the amount relating to contribution totals)
7 shall be adjusted in the manner provided in section 315(c),
8 except that, for the purposes of such adjustment, the base
9 period shall be calendar year 1993.”.

10 **SEC. 202. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
11 **PENDENT EXPENDITURES.**

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

14 (1) in paragraph (2), by striking out the undes-
15 ignated matter after subparagraph (C);

16 (2) by redesignating paragraph (3) as para-
17 graph (5); and

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

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

1 “(B) Any independent expenditure aggregating
2 \$10,000 or more made at any time up to and including
3 the 20th day before any election shall be reported within
4 48 hours after such independent expenditure is made. An
5 additional statement shall be filed each time independent
6 expenditures aggregating \$10,000 are made with respect
7 to the same election as the initial statement filed under
8 this section.

9 “(C) Such statement shall be filed with the Clerk of
10 the House of Representatives and the Secretary of State
11 of the State involved and shall contain the information re-
12 quired by subsection (b)(6)(B)(iii) of this section, includ-
13 ing whether the independent expenditure is in support of,
14 or in opposition to, the candidate involved. The Clerk of
15 the House of Representatives shall as soon as possible (but
16 not later than 4 working hours of the Commission) after
17 receipt of a statement transmit it to the Commission. Not
18 later than 48 hours after the Commission receives a re-
19 port, the Commission shall transmit a copy of the report
20 to each candidate seeking nomination or election to that
21 office.

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

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

5 “(B) Such statement shall be filed with the Clerk of
6 the House of Representatives and the Secretary of State
7 of the State involved, and shall identify each candidate
8 whom the expenditure will support or oppose. The Clerk
9 of the House of Representatives shall as soon as possible
10 (but not later than 4 working hours of the Commission)
11 after receipt of a statement transmit it to the Commission.
12 Not later than 48 hours after the Commission receives a
13 statement under this paragraph, the Commission shall
14 transmit a copy of the statement to each candidate identi-
15 fied.

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

23 “(6) At the same time as a candidate is notified
24 under paragraph (3), (4), or (5) with respect to expendi-
25 tures during a general election period, the Commission

1 shall certify eligibility to receive benefits under section
2 504(a) or section 604(b).

3 “(7) The Clerk of the House of Representatives shall
4 make any statement received under this subsection avail-
5 able for public inspection and copying in the same manner
6 as the Commission under section 311(a)(4), and shall pre-
7 serve such statements in the same manner as the Commis-
8 sion under section 311(a)(5).”.

9 **SEC. 203. CLARIFICATION OF DEFINITIONS RELATING TO**
10 **INDEPENDENT EXPENDITURES.**

11 (a) INDEPENDENT EXPENDITURE DEFINITION
12 AMENDMENT.—Section 301 of the Federal Election Cam-
13 paign Act of 1971 (2 U.S.C. 431) is amended by striking
14 out paragraphs (17) and (18) and inserting in lieu thereof
15 the following:

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

19 “(i) contains express advocacy; and

20 “(ii) is made without the participation or co-
21 operation of a candidate or a candidate’s representa-
22 tive.

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

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

3 “(ii) An expenditure made by a person who,
4 during the election cycle, has communicated with or
5 received information from a candidate or a rep-
6 resentative of that candidate regarding activities
7 that have the purpose of influencing that candidate’s
8 election to Federal office, where the expenditure is
9 in support of that candidate or in opposition to an-
10 other candidate for that office.

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

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

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

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

24 “(v) An expenditure if the person making the
25 expenditure has advised or counseled the candidate

1 or the candidate's agents at any time on the can-
2 didate's plans, projects, or needs relating to the can-
3 didate's pursuit of nomination for election, or elec-
4 tion, to Federal office, in the same election cycle, in-
5 cluding any advice relating to the candidate's deci-
6 sion to seek Federal office.

7 “(vi) An expenditure if the person making the
8 expenditure retains the professional services of any
9 individual or other person also providing those serv-
10 ices in the same election cycle to the candidate in
11 connection with the candidate's pursuit of nomina-
12 tion for election, or election, to Federal office, in-
13 cluding any services relating to the candidate's deci-
14 sion to seek Federal office.

15 “(vii) An expenditure if the person making the
16 expenditure has consulted at any time during the
17 same election cycle about the candidate's plans,
18 projects, or needs relating to the candidate's pursuit
19 of nomination for election, or election, to Federal of-
20 fice, with—

21 “(I) any officer, director, employee or
22 agent of a party committee that has made or
23 intends to make expenditures or contributions,
24 pursuant to subsections (a), (d), or (h) of sec-

1 tion 315 in connection with the candidate’s
2 campaign; or

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

9 For purposes of this subparagraph, the person making the
10 expenditure shall include any officer, director, employee,
11 or agent of such person.

12 “(18) The term ‘express advocacy’ means, when a
13 communication is taken as a whole, an expression of sup-
14 port for or opposition to a specific candidate, to a specific
15 group of candidates, or to candidates of a particular politi-
16 cal party, or a suggestion to take action with respect to
17 an election, such as to vote for or against, make contribu-
18 tions to, or participate in campaign activity.”.

19 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
20 tion 301(8)(A) of the Federal Election Campaign Act of
21 1971 (2 U.S.C. 431(8)(A)) is amended—

22 (1) in clause (i), by striking out “or” after the
23 semicolon at the end;

24 (2) in clause (ii), by striking out the period at
25 the end and inserting in lieu thereof “; or”; and

1 (3) by adding at the end the following new
2 clause:

3 “(iii) any payment or other transaction referred
4 to in paragraph (17)(A)(i) that does not qualify as
5 an independent expenditure under paragraph
6 (17)(A)(ii).”.

7 **SEC. 204. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
8 **TEES.**

9 (a) INDIVIDUAL CONTRIBUTIONS TO STATE
10 PARTY.—Paragraph (1) of section 315(a) of the Federal
11 Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is
12 amended by striking out “or” at the end of subparagraph
13 (B), by redesignating subparagraph (C) as subparagraph
14 (D), and by inserting after subparagraph (B) the following
15 new subparagraph:

16 “(C) to political committees established and
17 maintained by a State committee of a political party
18 in any calendar year which, in the aggregate, exceed
19 \$10,000; or”.

20 (b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS
21 TO STATE PARTY.—Paragraph (2) of section 315(a) of
22 the Federal Election Campaign Act of 1971 (2 U.S.C.
23 441a(a)(2)) is amended by striking out “or” at the end
24 of subparagraph (B), by redesignating subparagraph (C)

1 as subparagraph (D), and by inserting after subparagraph
2 (B) the following new subparagraph:

3 “(C) to political committees established and
4 maintained by a State committee of a political party
5 in any calendar year which, in the aggregate, exceed
6 \$10,000; or”.

7 (c) INCREASE IN OVERALL LIMIT.—Paragraph (3) of
8 section 315(a) of the Federal Election Campaign Act of
9 1971 (2 U.S.C. 441a(a)(3)) is amended by adding at the
10 end the following new sentence: “The limitation under this
11 paragraph shall be increased (but not by more than
12 \$5,000) by the amount of contributions made by an indi-
13 vidual during a calendar year to political committees
14 which are taken into account for purposes of paragraph
15 (1)(C).”.

16 **SEC. 205. PROVISIONS RELATING TO NATIONAL, STATE,**
17 **AND LOCAL PARTY COMMITTEES.**

18 (a) EXPENDITURES BY STATE COMMITTEES IN CON-
19 NECTION WITH PRESIDENTIAL CAMPAIGNS.—Section
20 315(d) of the Federal Election Campaign Act of 1971 (2
21 U.S.C. 441a(d)) is amended by adding at the end the fol-
22 lowing new paragraph:

23 “(4) A State committee of a political party, including
24 subordinate committees of that State committee, shall not
25 make expenditures in connection with the general election

1 campaign of a candidate for President of the United
2 States who is affiliated with such party which, in the ag-
3 gregate, exceed an amount equal to 4 cents multiplied by
4 the voting age population of the State, as certified under
5 subsection (e). This paragraph shall not authorize a com-
6 mittee to make expenditures for audio broadcasts (includ-
7 ing television broadcasts) in excess of the amount which
8 could have been made without regard to this paragraph.”.

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

13 (A) in clause (xi), by striking out “direct mail”
14 and inserting in lieu thereof “mail”; and

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

16 (2) Section 301(9)(B) of the Federal Election Cam-
17 paign Act of 1971 (2 U.S.C. 431(9)(B)) is amended by
18 repealing clauses (viii) and (ix).

19 (c) SOFT MONEY OF COMMITTEES OF POLITICAL
20 PARTIES.—(1) Title III of the Federal Election Campaign
21 Act of 1971 is amended by inserting after section 323 the
22 following new section:

23 “POLITICAL PARTY COMMITTEES

24 “SEC. 324. (a) Any amount solicited, received, or ex-
25 pended directly or indirectly by a national, State, district,
26 or local committee of a political party (including any sub-

1 ordinate committee) with respect to an activity which, in
2 whole or in part, is in connection with an election to Fed-
3 eral office shall be subject in its entirety to the limitations,
4 prohibitions, and reporting requirements of this Act.

5 “(b) For purposes of subsection (a)—

6 “(1) Any activity which is solely for the purpose
7 of influencing an election for Federal office is in
8 connection with an election for Federal office.

9 “(2) Except as provided in paragraph (3), any
10 of the following activities during a Federal election
11 period shall be treated as in connection with an elec-
12 tion for Federal office:

13 “(A) Voter registration and get-out-the-
14 vote activities.

15 “(B) Campaign activities, including broad-
16 casting, newspaper, magazine, billboard, mass
17 mail, and newsletter communications, and simi-
18 lar kinds of communications or public advertis-
19 ing that—

20 “(i) are generic campaign activities; or

21 “(ii) identify a Federal candidate re-
22 gardless of whether a State or local can-
23 didate is also identified.

24 “(C) The preparation and dissemination of
25 campaign materials that are part of a generic

1 campaign activity or that identify a Federal
2 candidate, regardless of whether a State or
3 local candidate is also identified.

4 “(D) Development and maintenance of
5 voter files.

6 “(E) Any other activity affecting (in whole
7 or in part) an election for Federal office.

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

10 “(A) Any amount described in section
11 301(8)(B)(viii).

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

14 “(C) Any amount received or expended in
15 connection with a State or local political con-
16 vention.

17 “(D) Campaign activities, including broad-
18 casting, newspaper, magazine, billboard, mass
19 mail, and newsletter communications, and simi-
20 lar kinds of communications or public advertis-
21 ing that are exclusively on behalf of State or
22 local candidates and are not activities described
23 in paragraph (2)(A).

1 “(E) Administrative expenses of a State or
2 local committee of a political party, including
3 expenses for—

4 “(i) overhead;

5 “(ii) staff (other than individuals de-
6 voting a substantial portion of their activi-
7 ties to elections for Federal office);

8 “(iii) meetings; and

9 “(iv) conducting party elections or
10 caucuses.

11 “(F) Research pertaining solely to State
12 and local candidates and issues.

13 “(G) Development and maintenance of
14 voter files other than during a Federal election
15 period.

16 “(H) Activities described in paragraph
17 (2)(A) which are conducted other than during
18 a Federal election period.

19 “(I) Any other activity which is solely for
20 the purpose of influencing, and which solely af-
21 fects, an election for non-Federal office.

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

24 “(A) beginning on June 1, of any even-
25 numbered calendar year (April 1 if an election

1 to the office of President occurs in such year),
2 and

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

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

9 “(c) SOLICITATION OF COMMITTEES.—A national
10 committee of a political party may not solicit or accept
11 contributions not subject to the limitations, prohibitions,
12 and reporting requirements of this Act.

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

20 “(A) such amount is derived from funds which
21 meet the requirements of this Act with respect to
22 any limitation or prohibition as to source or dollar
23 amount, and

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

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

5 “(ii) certifies to the other committee that
6 such requirements were met.

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

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

17 (2) Section 315(d) of the Federal Election Campaign
18 Act of 1971 (2 U.S.C. 441a(d)), as amended by subsection
19 (a), is amended by adding at the end the following new
20 paragraph:

21 “(5)(A) The national committee of a political
22 party, the congressional campaign committees of a
23 political party, and a State or local committee of a
24 political party, including a subordinate committee of
25 any of the preceding committees, shall not make ex-

1 penditures during any calendar year for activities
2 described in section 324(b)(2) with respect to such
3 State which, in the aggregate, exceed an amount
4 equal to 30 cents multiplied by the voting age popu-
5 lation of the State (as certified under subsection
6 (e)).

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

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

18 “(D) For purposes of this paragraph—

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

22 “(ii) a State committee shall not be re-
23 quired to record or report under this Act the
24 expenditures of any other committee which are

1 made independently from the State commit-
2 tee.”.

3 (3) Section 301(4) of the Federal Election
4 Campaign Act of 1971 (2 U.S.C. 431(4)) is amend-
5 ed by adding at the end the following new sentence:
6 “For purposes of subparagraph (C), any payments
7 for get-out-the-vote activities on behalf of candidates
8 for office other than Federal office shall be treated
9 as payments exempted from the definition of expend-
10 iture under paragraph (9) of this section.”.

11 (4) Section 301(8)(B)(viii) of the Federal Elec-
12 tion Campaign Act of 1971 (2 U.S.C.
13 431(8)(B)(viii)) is amended by striking out “defray”
14 and inserting in lieu thereof “pay indebtedness in-
15 curred prior to January 1, 1993, for the purpose of
16 defraying”.

17 (d) GENERIC ACTIVITIES.—Section 301 of the Fed-
18 eral Election Campaign Act of 1971 (2 U.S.C. 431) is
19 amended by adding at the end the following new para-
20 graph:

21 “(31) The term ‘generic campaign activity’
22 means a campaign activity the preponderant purpose
23 or effect of which is to promote a political party
24 rather than any particular Federal or non-Federal
25 candidate.”.

1 **SEC. 206. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
2 **AND OFFICEHOLDERS.**

3 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
4 of the Federal Election Campaign Act of 1971 (2 U.S.C.
5 441a) is amended by adding at the end the following new
6 subsection:

7 “(i) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
8 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
9 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
10 Act, a candidate for Federal office (or an individual hold-
11 ing Federal office) may not solicit funds to, or receive
12 funds on behalf of, any Federal or non-Federal candidate
13 or political committee—

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

18 “(B) which are to be expended in connection
19 with any election for other than Federal office unless
20 such funds are not in excess of amounts permitted
21 with respect to Federal candidates and political com-
22 mittees under this Act, and are not from sources
23 prohibited by this Act with respect to elections to
24 Federal office.

25 “(2)(A) The aggregate amount which a person de-
26 scribed in subparagraph (B) may solicit from a

1 multicandidate political committee for State committees
2 described in subsection (a)(1)(C) (including subordinate
3 committees) for any calendar year shall not exceed the dol-
4 lar amount in effect under subsection (a)(2)(B) for the
5 calendar year.

6 “(B) A person is described in this subparagraph if
7 such person is a candidate for Federal office, an individual
8 holding Federal office, or any national, State, district, or
9 local committee of a political party (including subordinate
10 committees).

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

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

18 “(B) such candidate or individual does not so-
19 licit or receive, or make expenditures from, any
20 funds resulting from such activity.

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

1 “(5) For purposes of this subsection, an individual
2 shall be treated as holding Federal office if such individual
3 is described in section 101(f) of the Ethics in Government
4 Act of 1978.”.

5 (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of
6 the Federal Election Campaign Act of 1971 (2 U.S.C.
7 441a), as amended by subsection (a), is amended by add-
8 ing at the end the following new subsection:

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

17 “(2) For purposes of this subsection, an individual
18 shall be treated as holding Federal office if such individual
19 is described in section 101(f) of the Ethics in Government
20 Act of 1978.”.

21 **SEC. 207. REPORTING REQUIREMENTS.**

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

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

7 “(2) A political committee (not described in para-
8 graph (1)) to which section 324 applies shall report all
9 receipts and disbursements in connection with a Federal
10 election (as determined under section 324).

11 “(3) Any political committee to which section 324 ap-
12 plies shall include in its report under paragraph (1) or
13 (2) the amount of any transfer described in section 324(c)
14 and the reason for the transfer.

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

19 “(5) If any receipt or disbursement to which this sub-
20 section applies exceeds \$200, the political committee shall
21 include identification of the person from whom, or to
22 whom, such receipt or disbursement was made.

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

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

5 “(C) The exclusions provided in clauses (v) and (viii)
6 of subparagraph (B) shall not apply for purposes of any
7 requirement to report contributions under this Act, and
8 all such contributions in excess of \$200 shall be
9 reported.”.

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

14 “(C) The exclusions provided in clause (iv) of sub-
15 paragraph (B) shall not apply for purposes of any require-
16 ment to report expenditures under this Act, and all such
17 expenditures in excess of \$200 shall be reported.”.

18 (d) CONTRIBUTIONS AND EXPENDITURES OF POLITI-
19 CAL COMMITTEES.—Section 301(4) of the Federal Elec-
20 tion Campaign Act of 1971 (2 U.S.C. 431(4)) is amended
21 by adding at the end the following: “For purposes of this
22 paragraph, the receipt of contributions or the making of,
23 or obligating to make, expenditures shall be determined
24 by the Commission on the basis of facts and cir-
25 cumstances, in whatever combination, demonstrating a

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

10 (e) REPORTS BY STATE COMMITTEES.—Section 304
11 of the Federal Election Campaign Act of 1971 (2 U.S.C.
12 434), as amended by subsection (a), is amended by adding
13 at the end the following new subsection:

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

20 **SEC. 208. CONTRIBUTIONS THROUGH INTERMEDIARIES**
21 **AND CONDUITS.**

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

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

1 “(A) Contributions made by a person, either di-
2 rectly or indirectly, to or on behalf of a particular
3 candidate, including contributions that are in any
4 way earmarked or otherwise directed through an
5 intermediary or conduit to a candidate, shall be
6 treated as contributions from the person to the can-
7 didate.

8 “(B) Contributions made directly or indirectly
9 by a person to or on behalf of a particular candidate
10 through an intermediary or conduit, including con-
11 tributions made or arranged to be made by an
12 intermediary or conduit, shall be treated as contribu-
13 tions from the intermediary or conduit to the can-
14 didate if—

15 “(i) the contributions made through the
16 intermediary or conduit are in the form of a
17 check or other negotiable instrument made pay-
18 able to the intermediary or conduit rather than
19 the intended recipient; or

20 “(ii) the intermediary or conduit is—

21 “(I) a political committee with a con-
22 nected organization;

23 “(II) an officer, employee, or agent of
24 such a political committee;

25 “(III) a political party;

1 “(IV) a partnership or sole proprietor-
2 ship;

3 “(V) a lobbyist; or

4 “(VI) an organization prohibited from
5 making contributions under section 316, or
6 an officer, employee, or agent of such an
7 organization acting on the organization’s
8 behalf.

9 “(C)(i) Except as specified in subparagraph
10 (B)(ii)(V), the term ‘intermediary or conduit’ does
11 not include—

12 “(I) a candidate or representative of a can-
13 didate receiving contributions to the candidate’s
14 principal campaign committee or authorized
15 committee;

16 “(II) a professional fundraiser com-
17 pensated for fundraising services at the usual
18 and customary rate;

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

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

24 “(ii) The term ‘representative’ means an indi-
25 vidual who is expressly authorized by the candidate

1 to engage in fundraising, and who occupies a signifi-
2 cant position within the candidate’s campaign orga-
3 nization, provided that the individual is not de-
4 scribed in subparagraph (B)(ii).

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

7 “(I) contributions delivered to a particular
8 candidate or the candidate’s authorized commit-
9 tee or agent; and

10 “(II) contributions directly or indirectly ar-
11 ranged to be made to a particular candidate or
12 the candidate’s authorized committee or agent,
13 in a manner that identifies directly or indirectly
14 to the candidate or authorized committee or
15 agent the person who arranged the making of
16 the contributions or the person on whose behalf
17 such person was acting.

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

22 “(I) Soliciting or directly or indirectly ar-
23 ranging the making of a contribution to a par-
24 ticular candidate in the name of, or by using
25 the name of, such a person.

1 “(II) Soliciting or directly or indirectly ar-
2 ranging the making of a contribution to a par-
3 ticular candidate using other than incidental re-
4 sources of such a person.

5 “(III) Soliciting contributions for a par-
6 ticular candidate by substantially directing the
7 solicitations to other officers, employees, or
8 agents of such a person.

9 “(D) Nothing in this paragraph shall prohibit—
10 “(i) bona fide joint fundraising efforts con-
11 ducted solely for the purpose of sponsorship of
12 a fundraising reception, dinner, or other similar
13 event, in accordance with rules prescribed by
14 the Commission, by—

15 “(I) 2 or more candidates;

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

20 “(III) a special committee formed by
21 2 or more candidates, or a candidate and
22 a national, State, or local committee of a
23 political party acting on their own behalf;
24 or

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

8 **SEC. 210. CONTRIBUTIONS TO CANDIDATES FROM STATE**
9 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
10 **TIES TO BE AGGREGATED.**

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

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

22 **SEC. 211. PROHIBITION OF LEADERSHIP COMMITTEES.**

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

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

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

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

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

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

19 “(6)(A) A candidate for Federal office or any individ-
20 ual holding Federal office may not establish, maintain, or
21 control any political committee other than a principal cam-
22 paign committee of the candidate, authorized committee,
23 party committee, or other political committee designated
24 in accordance with paragraph (3). A candidate for more

1 than one Federal office may designate a separate principal
2 campaign committee for each Federal office.

3 “(B) Not later than 60 days after the date of the
4 enactment of this paragraph, such political committee
5 shall disburse all funds by one or more of the following
6 means: making contributions to an entity qualified under
7 section 501(c)(3) of the Internal Revenue Code of 1986;
8 making a contribution to the treasury of the United
9 States; contributing to the national, State or local commit-
10 tees of a political party; or making contributions not to
11 exceed \$1,000 to candidates for elective office.”.

12 **SEC. 212. REDUCTION IN THRESHOLD FOR REPORTING OF**
13 **CERTAIN INFORMATION BY PERSONS OTHER**
14 **THAN POLITICAL COMMITTEES.**

15 Section 304(b)(3)(A) of the Federal Election Cam-
16 paign Act of 1971 (2 U.S.C. 434(b)(3)(A)) is amended
17 by striking out “\$200” and inserting in lieu thereof
18 “\$50”.

19 **SEC. 213. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

20 Section 311(a) of the Federal Election Campaign Act
21 of 1971 (2 U.S.C. 438(a)) is amended—

22 (1) by striking out “and” at the end of para-
23 graph (9);

1 (2) by striking out the period at the end of
2 paragraph (10) and inserting in lieu thereof “; and”;
3 and

4 (3) by adding at the end the following new
5 paragraph:

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

8 **SEC. 214. RANDOM AUDITS.**

9 Section 311(b) of the Federal Election Campaign Act
10 of 1971 (2 U.S.C. 438(b)) is amended—

11 (1) by inserting “(1)” before “The Commis-
12 sion”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(2) Notwithstanding paragraph (1), the Commission
16 may from time to time conduct random audits and inves-
17 tigations to ensure voluntary compliance with this Act.
18 The subjects of such audits and investigations shall be se-
19 lected on the basis of criteria established by vote of at
20 least 4 members of the Commission to ensure impartiality
21 in the selection process. This paragraph does not apply
22 to an authorized committee of an eligible House of Rep-
23 resentatives candidate subject to audit under section
24 505(a).”.

1 **SEC. 215. SENSE OF THE HOUSE OF REPRESENTATIVES RE-**
 2 **GARDING FINANCING OF SENATE ELECTION**
 3 **CAMPAIGNS.**

4 It is the sense of the House of Representatives that
 5 the Senate should consider legislation establishing a cor-
 6 responding system of campaign financing for Senate elec-
 7 tions which provides for the following: voluntary spending
 8 limits, partial public financing, a prohibition of contribu-
 9 tions from multicandidate political committees, an individ-
 10 ual contribution limit of \$500 per candidate per election
 11 cycle, and a strict limit on the amount of campaign funds
 12 that may be carried from one election cycle to the next.

13 **SEC. 216. SEVERABILITY.**

14 If any provision of this Act (including any amend-
 15 ment made by this Act), or the application of any such
 16 provision to any person or circumstance, is held invalid,
 17 the validity of any other provision of this Act, or the appli-
 18 cation of such provision to other persons and cir-
 19 cumstances, shall not be affected thereby.

○

HR 1396 IH—2

HR 1396 IH—3

HR 1396 IH—4

HR 1396 IH—5