

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 7

To amend the Federal Election Campaign Act of 1971 to reduce special interest influence on elections, to increase competition in politics, to reduce campaign costs, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. DOLE (for himself, Mr. McCONNELL, Mr. PACKWOOD, Mr. LOTT, Mr. GORTON, Mr. THURMOND, Mr. DOMENICI, Mr. LUGAR, Mr. D'AMATO, Mr. SIMPSON, Mr. STEVENS, Mr. NICKLES, and Mr. CHAFEE) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

---

## A BILL

To amend the Federal Election Campaign Act of 1971 to reduce special interest influence on elections, to increase competition in politics, to reduce campaign costs, 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; AMENDMENT OF FECA; TABLE**  
4 **OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Comprehensive Campaign Finance Reform Act of 1993”.

1 (b) AMENDMENT OF FECA.—When used in this Act,  
 2 the term “FECA” means the Federal Election Campaign  
 3 Act of 1971 (2 U.S.C. 431 et seq.).

4 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of FECA; table of contents.

#### TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

##### Subtitle A—Elimination of Political Action Committees From Federal Election Activities

Sec. 101. Ban on activities of political action committees in Federal elections.

##### Subtitle B—Ban on Soft Money in Federal Elections

Sec. 111. Ban on soft money.

Sec. 112. Restrictions on party committees.

Sec. 113. Protections for employees.

Sec. 114. Restrictions on soft money activities of tax-exempt organizations.

Sec. 115. Denial of tax-exempt status for certain politically active organizations.

Sec. 116. Contributions to certain political organizations maintained by a candidate.

Sec. 117. Contributions to State and local committees.

##### Subtitle C—Other Activities

Sec. 121. Modifications of contribution limits on individuals.

Sec. 122. Political parties.

Sec. 123. Contributions through intermediaries and conduits.

Sec. 124. Independent expenditures.

#### TITLE II—INCREASE OF COMPETITION IN POLITICS

Sec. 201. Seed money for challengers.

Sec. 202. Candidate expenditures from personal funds.

Sec. 203. Franked communications.

Sec. 204. Limitations on gerrymandering.

Sec. 205. Election fraud, other public corruption, and fraud in interstate commerce.

#### TITLE III—REDUCTION OF CAMPAIGN COSTS

Sec. 301. Broadcast discount.

#### TITLE IV—MISCELLANEOUS PROVISIONS

##### Subtitle A—Federal Election Commission Enforcement Authority

Sec. 401. Elimination of reason to believe standard.

Sec. 402. Injunctive authority.

Sec. 403. Time periods.

Sec. 404. Knowing violation penalties.

Sec. 405. Court resolved violations and penalties.

Sec. 421. Disclosure of debt settlement and loan security agreements.

Sec. 422. Contributions for draft and encouragement purposes with respect to elections for Federal office.

Sec. 423. Severability.

Sec. 424. Effective date.

6 SEC. 101. BAN ON ACTIVITIES OF POLITICAL ACTION COM-  
7 MITTEES IN FEDERAL ELECTIONS.

11 “BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL  
12 ACTION COMMITTEES

**•S 7 IS**

1 (b) DEFINITION OF POLITICAL COMMITTEE.—(1)  
2 Section 301(4) of FECA (2 U.S.C. 431(4)) is amended  
3 to read as follows:

4 “(4) The term ‘political committee’ means—

5 “(A) the principal campaign committee of  
6 a candidate;

7 “(B) any national, State, or district com-  
8 mittee of a political party, including any subor-  
9 dinate committee thereof;

10 “(C) any local committee of a political  
11 party which—

12 “(i) receives contributions aggregating  
13 in excess of \$5,000 during a calendar year;

14 “(ii) makes payments exempted from  
15 the definition of contribution or expendi-  
16 ture under paragraph (8) or (9) aggregat-  
17 ing in excess of \$5,000 during a calendar  
18 year; or

19 “(iii) makes contributions or expendi-  
20 tures aggregating in excess of \$1,000 dur-  
21 ing a calendar year; and

22 “(D) any committee jointly established by  
23 a principal campaign committee and any com-  
24 mittee described in subparagraph (B) or (C) for

1 the purpose of conducting joint fundraising  
2 activities.”.

3 (2) Section 316(b)(2) of FECA (2 U.S.C.  
4 441b(b)(2)) is amended by striking subparagraphs (B)  
5 and (C).

6 (c) CANDIDATE’S COMMITTEES.—(1) Section 315(a)  
7 of FECA (2 U.S.C. 441a(a)) is amended by adding at the  
8 end the following new paragraph:

9 “(9) For the purposes of the limitations provided by  
10 paragraphs (1) and (2), any political committee which is  
11 established or financed or maintained or controlled by any  
12 candidate or Federal officeholder shall be deemed to be  
13 an authorized committee of such candidate or office-  
14 holder.”.

15 (2) Section 302(e)(3) of FECA (2 U.S.C. 432) is  
16 amended to read as follows:

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

20 “(A) a candidate for the office of President  
21 nominated by a political party may designate the na-  
22 tional committee of such political party as the can-  
23 didate’s principal campaign committee, but only if  
24 that national committee maintains separate books of

1 account with respect to its functions as a principal  
2 campaign committee; and

3 “(B) a candidate may designate a political com-  
4 mittee established solely for the purpose of joint  
5 fundraising by such candidates as an authorized  
6 committee.”.

7 (d) RULES APPLICABLE WHEN BAN NOT IN EF-  
8 FECT.—For purposes of the Federal Election Campaign  
9 Act of 1971, during any period in which the limitation  
10 under section 324 of that Act (as added by subsection (a))  
11 is not in effect—

12 (1) the amendments made by subsections (a)  
13 and (b) shall not be in effect; and

14 (2) it shall be unlawful for any person that—

15 (A) is treated as a political committee by  
16 reason of paragraph (1); and

17 (B) is not directly or indirectly established,  
18 administered, or supported by a connected orga-  
19 nization which is a corporation, labor organiza-  
20 tion, or trade association,

21 to make contributions to any candidate or the can-  
22 didate’s authorized committee for any election aggre-  
23 gating in excess of \$1,000.

## 1     **Subtitle B—Ban on Soft Money in** 2                     **Federal Elections**

### 3     **SEC. 111. BAN ON SOFT MONEY.**

4             Section 315 of FECA (2 U.S.C. 441a) is amended  
5 by adding at the end the following new subsection:

6             “(i) BAN ON SOFT MONEY.—(1) It shall be unlawful  
7 for the purpose of influencing any election to Federal of-  
8 fice—

9                     “(A) to solicit or receive any soft money; or

10                    “(B) to make any payments from soft money.

11             “(2) For purposes of paragraph (1), the term ‘soft  
12 money’ means any amount—

13                    “(A) solicited or received from a source which  
14 is prohibited under section 316(a);

15                    “(B) contributed, solicited, or received in excess  
16 of the contribution limits under section 315; or

17                    “(C) not subject to the recordkeeping, report-  
18 ing, or disclosure requirements under section 304 or  
19 any other provision of this Act.”.

### 20     **SEC. 112. RESTRICTIONS ON PARTY COMMITTEES.**

21             (a) DISCLOSURE OF INFORMATION BY POLITICAL  
22 COMMITTEE.—(1) Section 302(c) of FECA (2 U.S.C.  
23 432(c)) is amended—

24                    (A) by striking “and” at the end of paragraph

25                    (4);

1 (B) by striking the period at the end of para-  
2 graph (5) and inserting “; and”; and

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

5 “(6) each account maintained by a political  
6 committee of a political party (including Federal and  
7 non-Federal accounts), and deposits into, and dis-  
8 bursements from, each such account.”.

9 (2) Section 304(b) of FECA (2 U.S.C. 434(b)) is  
10 amended—

11 (A) by striking “and” at the end of paragraph  
12 (7);

13 (B) by striking the period at the end of para-  
14 graph (8) and inserting “; and”; and

15 (C) by adding at the end the following new  
16 paragraph:

17 “(9) each account maintained by a political  
18 committee of a political party (including Federal and  
19 non-Federal accounts), and deposits into, and dis-  
20 bursements from, each such account.”.

21 (b) ALLOCATION OF EXPENDITURES FOR MIXED AC-  
22 TIVITIES.—Title III of FECA, as amended by section  
23 101(a), is amended by adding at the end the following new  
24 section:



1 “REQUIRED ALLOCATION OF CONTRIBUTIONS AND EX-  
2 PENDITURES FOR MIXED ACTIVITIES BY POLITICAL  
3 PARTY COMMITTEES

4 “SEC. 325. (a) REGULATIONS REQUIRING ALLOCA-  
5 TION FOR MIXED ACTIVITIES.—Not later than 180 days  
6 after the date of the enactment of this section, the Com-  
7 mission shall issue regulations providing for a method for  
8 allocating the contributions and expenditures for any  
9 mixed activity between Federal and non-Federal accounts.

10 “(b) GUIDELINES FOR ALLOCATION.—(1) The regu-  
11 lations issued under subsection (a) shall—

12 “(A) provide for the allocation of contributions  
13 and expenditures in accordance with this subsection;  
14 and

15 “(B) require reporting under this Act of ex-  
16 penditures in connection with a mixed activity to dis-  
17 close—

18 “(i) the method and rationale used in allo-  
19 cating the cost of the mixed activity to Federal  
20 and non-Federal accounts; and

21 “(ii) the amount and percentage of the  
22 cost of the mixed activity allocated to such  
23 accounts.

24 “(2) In the case of a mixed activity that consists of  
25 a voter registration drive, get-out-the-vote drive, or other

1 activity designed to contact voters (other than an activity  
2 to which paragraph (3) or (4) applies), amounts shall be  
3 allocated on the basis of the composition of the ballot for  
4 the political jurisdiction in which the activity occurs, ex-  
5 cept that in no event shall the amounts allocated to the  
6 Federal account be less than—

7           “(A)  $33\frac{1}{3}$  percent of the total amount in the  
8       case of the national committee of a political party;  
9       or

10           “(B) 25 percent of the total amount in the case  
11       of a State or local committee of a political party or  
12       any subordinate committee thereof.

13       “(3) In the case of a mixed activity that consists of  
14 preparing and distributing brochures, handbills, slate  
15 cards, or other printed materials identifying or seeking  
16 support of (or opposition to) candidates for both Federal  
17 offices and non-Federal offices, amounts shall be allocated  
18 on the basis of total space devoted to such candidates, ex-  
19 cept that in no event shall the amounts allocated to the  
20 Federal account be less than the percentages under sub-  
21 paragraph (A) or (B) of paragraph (2).

22       “(4)(A) In the case of a mixed activity by a national  
23 committee of a political party that consists of broadcast  
24 media advertising (or any portion thereof) that promotes  
25 (or is in opposition to) a political party without mentioning

1 the name of any individual candidate for Federal office  
2 or non-Federal office, amounts allocated to the Federal  
3 account shall not be less than—

4 “(i) 50 percent of the total amount in the case  
5 of advertising in the national media market; and

6 “(ii) 40 percent in the case of advertising in  
7 other than the national media market.

8 “(B) In the case of a mixed activity by a State or  
9 local committee of a political party or any subordinate  
10 committee thereof that consists of broadcast media adver-  
11 tising (or any portion thereof) described in subparagraph  
12 (A), costs shall be allocated on the basis of the composition  
13 of the ballot for the political jurisdiction in which the ac-  
14 tivity occurs, except that in no event shall the amounts  
15 allocated to the Federal account be less than 33 $\frac{1}{3}$  percent  
16 of the total amount.

17 “(5) Overhead and fundraising costs of a political  
18 committee of a political party for each 2-calendar year pe-  
19 riod ending with the calendar year in which a regularly  
20 scheduled election for Federal office occurs shall be allo-  
21 cated to the Federal account on the basis of the same ratio  
22 which—

23 “(A) the aggregate amount of receipts and dis-  
24 bursements of such political committee during such

1 period in connection with elections for Federal office,  
2 bears to

3 “(B) the aggregate amount of receipts and dis-  
4 bursements of such political committee during such  
5 period.

6 “(c) MIXED ACTIVITY.—(1) For purposes of this sec-  
7 tion, the term ‘mixed activity’ means an activity the ex-  
8 penditures in connection with which are required under  
9 this Act to be allocated between Federal and non-Federal  
10 accounts because such activity affects 1 or more elections  
11 for Federal office and 1 or more non-Federal elections.

12 “(2) Activities under paragraph (1) include—

13 “(A) voter registration drives, get-out-the-  
14 vote drives, telephone banks, and membership  
15 communications in connection with elections for  
16 Federal offices and elections for non-Federal  
17 offices;

18 “(B) general political advertising, bro-  
19 chures, or other materials that include any ref-  
20 erence (however incidental) to both a candidate  
21 for Federal office and a candidate for non-Fed-  
22 eral office, or that urge support for or opposi-  
23 tion to a political party or to all the candidates  
24 of a political party;

25 “(C) overhead expenses; and

1 “(D) activities described in clauses (v), (x),  
2 and (xii) of section 301(8)(B).

3 “(d) ACCOUNTS.—For purposes of this section—

4 “(1) the term ‘Federal account’ means an ac-  
5 count to which receipts and disbursements are allo-  
6 cated to elections for Federal offices; and

7 “(2) the term ‘non-Federal account’ means an  
8 account to which receipts and disbursements are al-  
9 located to elections other than non-Federal offices.”.

10 **SEC. 113. PROTECTION FOR EMPLOYEES.**

11 (a) CONTRIBUTIONS TO ALL POLITICAL COMMIT-  
12 TEES INCLUDED.—Section 316(b)(2) of FECA (2 U.S.C.  
13 441b(b)(2)) is amended by inserting “political commit-  
14 tee,” after “campaign committee,”.

15 (b) APPLICABILITY OF REQUIREMENTS TO LABOR  
16 ORGANIZATIONS.—Section 316(b) of FECA (2 U.S.C.  
17 441b(b)) is amended by adding at the end the following  
18 new paragraph:

19 “(8)(A) Subparagraphs (A), (B), and (C) of para-  
20 graph (2) shall not apply to a labor organization unless  
21 the organization meets the requirements of subparagraphs  
22 (B), (C), and (D).

23 “(B) The requirements of this subparagraph are met  
24 only if the labor organization provides, at least once annu-  
25 ally, to all employees within the labor organization’s bar-

1 gaining unit or units (and to new employees within 30  
2 days after commencement of their employment) written  
3 notification presented in a manner to inform any such em-  
4 ployee—

5           “(i) that an employee cannot be obligated to  
6 pay, through union dues or any other mandatory  
7 payment to a labor organization, for the political ac-  
8 tivities of the labor organization, including, but not  
9 limited to, the maintenance and operation of, or so-  
10 licitation of contributions to, a political committee,  
11 political communications to members, and voter reg-  
12 istration and get-out-the-vote campaigns;

13           “(ii) that no employee may be required actually  
14 to join any labor organization, but if a collective bar-  
15 gaining agreement covering an employee purports to  
16 require membership or payment of dues or other  
17 fees to a labor organization as a condition of em-  
18 ployment, the employee may elect instead to pay an  
19 agency fee to the labor organization;

20           “(iii) that the amount of the agency fee shall be  
21 limited to the employee’s pro rata share of the cost  
22 of the labor organization’s exclusive representation  
23 services to the employee’s collective bargaining unit,  
24 including collective bargaining, contract administra-  
25 tion, and grievance adjustment;

1           “(iv) that an employee who elects to be a full  
2           member of the labor organization and pay member-  
3           ship dues is entitled to a reduction of those dues by  
4           the employee’s pro rata share of the total spending  
5           by the labor organization for political activities;

6           “(v) that the cost of the labor organization’s ex-  
7           clusive representation services, and the amount of  
8           spending by such organization for political activities,  
9           shall be computed on the basis of such cost and  
10          spending for the immediately preceding fiscal year of  
11          such organization; and

12          “(vi) of the amount of the labor organization’s  
13          full membership dues, initiation fees, and assess-  
14          ments for the current year; the amount of the re-  
15          duced membership dues, subtracting the employee’s  
16          pro rata share of the organization’s spending for po-  
17          litical activities, for the current year; and the  
18          amount of the agency fee for the current year.

19          “(C) The requirements of this subparagraph are met  
20          only if, for purposes of verifying the cost of such labor  
21          organization’s exclusive representation services, the labor  
22          organization provides all represented employees an annual  
23          examination by an independent certified public accountant  
24          of financial statements supplied by such organization  
25          which verify the cost of such services; except that such

1 examination shall, at a minimum, constitute a ‘special re-  
2 port’ as interpreted by the Association of Independent  
3 Certified Public Accountants.

4 “(D) The requirements of this subparagraph are met  
5 only if the labor organization—

6 “(i) maintains procedures to promptly deter-  
7 mine the costs that may properly be charged to  
8 agency fee payors as costs of exclusive representa-  
9 tion, and explains such procedures in the written no-  
10 tification required under subparagraph (B); and

11 “(ii) if any person challenges the costs which  
12 may be properly charged as costs of exclusive rep-  
13 resentation—

14 “(I) provides a mutually selected impartial  
15 decisionmaker to hear and decide such chal-  
16 lenge pursuant to rules of discovery and evi-  
17 dence and subject to de novo review by the Na-  
18 tional Labor Relations Board or an applicable  
19 court; and

20 “(II) places in escrow amounts reasonably  
21 in dispute pending the outcome of the chal-  
22 lenge.

23 “(E)(i) A labor organization that does not satisfy the  
24 requirements of subparagraphs (B), (C), and (D) shall fi-  
25 nance any expenditures specified in subparagraphs (A),



1 (B), or (C) of paragraph (2) only with funds legally col-  
 2 lected under this Act for its separate segregated fund.

3 “(ii) For purposes of this paragraph, subparagraph  
 4 (A) of paragraph (2) shall apply only with respect to com-  
 5 munications expressly advocating the election or defeat of  
 6 any clearly identified candidate for elective public office.”.

7 **SEC. 114. RESTRICTIONS ON SOFT MONEY ACTIVITIES OF**  
 8 **TAX-EXEMPT ORGANIZATIONS.**

9 (a) IN GENERAL.—Section 501 of the Internal Reve-  
 10 nue Code of 1986 (relating to exemption from tax) is  
 11 amended by redesignating subsection (n) as subsection (o)  
 12 and by inserting after subsection (m) the following new  
 13 subsection:

14 “(n) DENIAL OF TAX-EXEMPT STATUS FOR ACTIVI-  
 15 TIES TO INFLUENCE A FEDERAL ELECTION.—An organi-  
 16 zation shall not be treated as exempt from tax under sub-  
 17 section (a) if such organization participates or intervenes  
 18 in any political campaign on behalf of or in opposition to  
 19 any candidate for Federal office.”.

20 (b) EFFECTIVE DATE.—The amendment made by  
 21 subsection (a) shall apply to any participation or interven-  
 22 tion by an organization on or after September 1, 1992.

1 **SEC. 115. DENIAL OF TAX-EXEMPT STATUS FOR CERTAIN**  
 2 **POLITICALLY ACTIVE ORGANIZATIONS.**

3 (a) IN GENERAL.—Section 501 of the Internal Reve-  
 4 nue Code of 1986 (relating to exemption from tax), as  
 5 amended by section 114, is amended by redesignating sub-  
 6 section (o) as subsection (p) and by inserting after sub-  
 7 section (n) the following new subsection:

8 “(o) DENIAL OF TAX-EXEMPT STATUS FOR CERTAIN  
 9 POLITICALLY ACTIVE ORGANIZATIONS.—

10 “(1) IN GENERAL.—An organization shall not  
 11 be treated as exempt from tax under subsection (a)  
 12 if—

13 “(A) such organization devotes any of its  
 14 operating budget to—

15 “(i) voter registration or get-out-the-  
 16 vote campaigns; or

17 “(ii) participation or intervention in  
 18 any political campaign on behalf of or in  
 19 opposition to any candidate for public of-  
 20 fice; and

21 “(B) a candidate, or an authorized com-  
 22 mittee of a candidate, has—

23 “(i) solicited contributions to, or on  
 24 behalf of, such organization; and

25 “(ii) the solicitation is made in co-  
 26 operation, consultation, or concert with, or

1 at the request or suggestion of, such orga-  
2 nization.

3 “(2) CANDIDATE DEFINED.—For purposes of  
4 this subsection—

5 “(A) IN GENERAL.—The term ‘candidate’  
6 has the meaning given such term by paragraph  
7 (2) of section 301 of the Federal Election Cam-  
8 paign Act of 1971 (2 U.S.C. 431(2)).

9 “(B) MEMBERS OF CONGRESS.—The term  
10 ‘candidate’ shall include any Senator or Rep-  
11 resentative in, or Delegate or Resident Commis-  
12 sioner to, the Congress unless—

13 “(i) the date for filing for nomination,  
14 or election to, such office has passed and  
15 such individual has not so filed, and

16 “(ii) such individual is not otherwise a  
17 candidate described in subparagraph (A).”.

18 (b) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply to taxable years ending after the  
20 date of enactment of this Act, but only with respect to  
21 solicitations or suggestions by candidates made after the  
22 date of enactment of this Act.

1 **SEC. 116. CONTRIBUTIONS TO CERTAIN POLITICAL ORGA-**  
2 **NIZATIONS MAINTAINED BY A CANDIDATE.**

3 (a) CONTRIBUTIONS BY PERSONS IN GENERAL AND  
4 BY MULTICANDIDATE POLITICAL COMMITTEES.—(1) Sec-  
5 tion 315(a)(1)(A) of FECA (2 U.S.C. 441a(a)(1)(A)) is  
6 amended by striking “candidate and his authorized politi-  
7 cal committees” and inserting “candidate, a candidate’s  
8 authorized political committees, and any political organi-  
9 zations (other than authorized committees) maintained by  
10 a candidate,”.

11 (2) Section 315(a)(2)(A) of FECA (2 U.S.C.  
12 441a(a)(2)(A)) is amended by striking “candidate and his  
13 authorized political committees” and inserting “candidate,  
14 a candidate’s authorized political committees, and any po-  
15 litical organizations (other than authorized committees)  
16 maintained by a candidate,”.

17 (3) Section 315(a) of FECA (2 U.S.C. 441a(a)), as  
18 amended by section 101(c), is amended by inserting at the  
19 end the following new paragraph:

20 “(10) For the purposes of paragraphs (1)(A) and  
21 (2)(A), the term ‘political organization maintained by a  
22 candidate’ means any non-Federal political action commit-  
23 tee, non-Federal multicandidate political committee, or  
24 any other form of political organization regulated under  
25 State law which is not a political committee of a national,  
26 State, or local political party—

1           “(A) that is set up by or on behalf of a can-  
2       didate and engages in political activity which directly  
3       influences Federal elections; and

4           “(B) for which that candidate has solicited a  
5       contribution.”.

6       (b) CONTRIBUTIONS BY NATIONAL BANKS, COR-  
7       PORATIONS, AND LABOR ORGANIZATIONS.—(1) Section  
8       316(b)(2) of the FECA (2 U.S.C. 441b(b)(2)) is amended  
9       by striking “candidate, campaign committee” and insert-  
10      ing “candidate, political organization (other than an au-  
11      thorized committee) maintained by a candidate, campaign  
12      committee,”.

13      (2) Section 316(b) of FECA (2 U.S.C. 441b(b)), as  
14      amended by section 113(b), is amended by inserting at  
15      the end the following new paragraph:

16      “(9) For the purposes of paragraph (2), the term ‘po-  
17      litical organization maintained by a candidate’ means any  
18      non-Federal political action committee, non-Federal  
19      multicandidate political committee, or any other form of  
20      political organization regulated under State law which is  
21      not a political committee of a national, State, or local  
22      political party—

23           “(A) that is set up by or on behalf of a can-  
24       didate and engages in political activity which directly  
25       influences Federal elections; and

1 “(B) for which that candidate has solicited a  
2 contribution.”.

3 (c) DATE OF APPLICATION.—The amendments made  
4 by subsections (a) and (b) shall apply to contributions de-  
5 scribed in sections 315 and 316 of FECA (2 U.S.C. 441a  
6 and 441b) made in response to solicitations made after  
7 January \_\_\_\_\_, 1993.

8 **SEC. 117. CONTRIBUTIONS TO STATE AND LOCAL PARTY**  
9 **COMMITTEES.**

10 Section 315(a)(1) of FECA (2 U.S.C. 441a(a)(1)) is  
11 amended—

12 (1) by striking “or” at the end of subparagraph  
13 (B);

14 (2) by striking the period at the end of sub-  
15 paragraph (C) and inserting “; or”; and

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

18 “(D) to the political committees established and  
19 maintained by a State or local political party, in con-  
20 nection with any activity that may influence an elec-  
21 tion for Federal office, in any calendar year which,  
22 in the aggregate, exceed the lesser of

23 “(i) \$50,000; or

24 “(ii) the difference between \$50,000 and  
25 the amount of contributions made by such per-

1 son to any political committees established and  
 2 maintained by a national political party.”.

### 3 **Subtitle C—Other Activities**

#### 4 **SEC. 121. MODIFICATIONS OF CONTRIBUTION LIMITS ON** 5 **INDIVIDUALS.**

6 (a) INCREASE IN CANDIDATE LIMIT.—Subparagraph

7 (A) of section 315(a)(1) of FECA (2 U.S.C.  
 8 441a(a)(1)(A)) is amended by striking “\$1,000” and in-  
 9 serting “the applicable amount”.

10 (b) APPLICABLE AMOUNT DEFINED.—Section  
 11 315(a) of FECA (2 U.S.C. 441a(a)), as amended by sec-  
 12 tion 116(a)(3), is amended by adding at the end the fol-  
 13 lowing new paragraph:

14 “(11) For purposes of subsection (a)(1)(A)—

15 “(A) The term ‘applicable amount’  
 16 means—

17 “(i) \$1,000 in the case of contribu-  
 18 tions by a person to—

19 “(I) a candidate for the office of  
 20 President or Vice President or such  
 21 candidate’s authorized committees; or

22 “(II) any other candidate or such  
 23 candidate’s authorized committees if,  
 24 at the time such contributions are  
 25 made, such person is a resident of the

1 State with respect to which such can-  
 2 didate seeks Federal office; and

3 “(ii) \$500 in the case of contributions  
 4 by any other person to a candidate de-  
 5 scribed in clause (i)(II) or such candidate’s  
 6 authorized committees.

7 “(B) At the beginning of 1993, and each  
 8 odd-numbered calendar year thereafter, the  
 9 Secretary of Labor shall certify in the same  
 10 manner as under subsection (c)(1) the percent  
 11 difference between the price index for the pre-  
 12 ceding calendar year and the price index for  
 13 calendar year 1991. Each of the dollar limits  
 14 under subparagraph (A) shall be increased by  
 15 such percent difference and rounded to the  
 16 nearest \$100. Each amount so increased shall  
 17 be the amount in effect for the calendar year  
 18 for which determined and the succeeding cal-  
 19 endar year.”.

20 **SEC. 122. POLITICAL PARTIES.**

21 ITEMS NOT TREATED AS CONTRIBUTIONS OR EX-  
 22 PENDITURES.—(1) Section 301(8)(B) of FECA (2 U.S.C.  
 23 431(8)(B)) is amended—

24 (A) in clauses (x) and (xii), by inserting “na-  
 25 tional,” after “the payment by a”; and



1 (B) in clause (xii), by inserting “general re-  
2 search activities,” after “the costs of”.

3 (2) Section 301(9)(B) of FECA (2 U.S.C.  
4 431(9)(B)) is amended—

5 (A) in clauses (viii) and (ix), by inserting “na-  
6 tional,” after “the payment by a”; and

7 (B) in clause (ix), by inserting “general re-  
8 search activities,” after “the costs of”.

9 **SEC. 123. CONTRIBUTIONS THROUGH INTERMEDIARIES**  
10 **AND CONDUITS.**

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

14 “(8) For purposes of this subsection—

15 “(A) Contributions made by a person, ei-  
16 ther directly or indirectly, to or on behalf of a  
17 particular candidate, including contributions  
18 which are in any way earmarked or otherwise  
19 directed through an intermediary or conduit to  
20 such candidate, shall be treated as contributions  
21 from such person to such candidate.

22 “(B) If a contribution is made by a person  
23 either directly or indirectly to or on behalf of a  
24 particular candidate through an intermediary or  
25 conduit, the intermediary or conduit shall re-

1 port the original source and the intended recipi-  
2 ent of such contribution to the Commission and  
3 to the intended recipient.

4 “(C) No conduit or intermediary shall de-  
5 liver or arrange to have delivered contributions  
6 from more than 2 persons who are employees of  
7 the same employer or who are members of the  
8 same trade association, membership organiza-  
9 tion, or labor organization.

10 “(D) No person required to register with  
11 the Clerk of the House of Representatives or  
12 the Secretary of the Senate under section 308  
13 of the Federal Regulation of Lobbying Act (2  
14 U.S.C. 267), or an officer, employee or agent of  
15 such a person, may act as an intermediary or  
16 conduit with respect to a contribution to a can-  
17 didate for Federal office.”.

18 **SEC. 124. INDEPENDENT EXPENDITURES.**

19 (a) ATTRIBUTION OF COMMUNICATIONS; RE-  
20 PORTS.—(1) Section 318 of FECA (2 U.S.C. 441d) is  
21 amended by adding at the end the following new sub-  
22 section:

23 “(c)(1) If any person makes an independent expendi-  
24 ture through a broadcast communication on any television

1 or radio station, the broadcast communication shall in-  
2 clude a statement—

3 “(A) in such television broadcast, that is clearly  
4 readable to the viewer and appears continuously dur-  
5 ing the entire length of such communication; or

6 “(B) in such radio broadcast, that is clearly au-  
7 dible to the viewer and is aired at the beginning and  
8 ending of such broadcast,

9 setting forth the name of such person and, in the case  
10 of a political committee, the name of any connected or af-  
11 filiated organization.

12 “(2) If any person makes an independent expenditure  
13 through a newspaper, magazine, outdoor advertising facil-  
14 ity, direct mailing, or other type of general public political  
15 advertising, the communication shall include, in addition  
16 to the other information required by this section—

17 “(A) the following sentence: ‘The cost of pre-  
18 senting this communication is not subject to any  
19 campaign contribution limits.’; and

20 “(B) a statement setting forth the name of the  
21 person who paid for the communication and, in the  
22 case of a political committee, the name of any con-  
23 nected or affiliated organization, and the name of  
24 the president or treasurer of such organization.

1       “(3) Any person making an independent expenditure  
2 described in paragraph (1) or (2) shall furnish, by certified  
3 mail, return receipt requested, the following information,  
4 to each candidate and to the Commission, not later than  
5 the date and time of the first public transmission of the  
6 communication:

7           “(A) Effective notice that the person plans to  
8 make an independent expenditure for the purpose of  
9 financing a communication which expressly  
10 advocates the election or defeat of a clearly identi-  
11 fied candidate.

12           “(B) An exact copy of the intended communica-  
13 tion, or a complete description of the contents of the  
14 intended communication, including the entirety of  
15 any texts to be used in conjunction with such com-  
16 munication, and a complete description of any pho-  
17 tographs, films, or any other visual devices to be  
18 used in conjunction with such communication.

19           “(C) All dates and times when such commu-  
20 nication will be publicly transmitted.”.

21       (2) Section 318(a) of FECA (2 U.S.C. 441d(a)) is  
22 amended by striking “Whenever” and inserting “Except  
23 as provided in subsection (c), whenever”.

1 (b) DEFINITION OF INDEPENDENT EXPENDITURE.—  
2 Paragraph (17) of section 301 of FECA (2 U.S.C.  
3 431(17)) is amended—

4 (1) by striking “(17) The term” and inserting  
5 “(17)(A) The term”; and

6 (2) by adding at the end the following new sub-  
7 paragraph:

8 “(B) For the purpose of subparagraph (A), an ex-  
9 penditure shall be considered to be made in cooperation,  
10 consultation, or concert with, or at the request or sugges-  
11 tion of, a candidate, authorized committee, or agent, if  
12 there is any arrangement, coordination, or direction by the  
13 candidate or the candidate’s agent prior to the publication,  
14 distribution, display, or broadcast of a communication,  
15 and it shall be presumed to be so made when it is—

16 “(i) based on information about the candidate’s  
17 plans, projects, or needs provided to the person mak-  
18 ing the expenditure by the candidate, or by the can-  
19 didate’s agents, with a view toward having an ex-  
20 penditure made; or

21 “(ii) made by or through any person who is, or  
22 has been—

23 “(I) authorized to raise or expend funds on  
24 behalf of the candidate or the candidate’s au-  
25 thorized committees;

1           “(II) serving as an officer of the can-  
2           didate’s authorized committees; or

3           “(III) providing professional services to, or  
4           receiving any form of compensation or reim-  
5           bursement from, the candidate, the candidate’s  
6           committee, or agent.”.

7           (c) HEARINGS ON COMPLAINTS.—Section 309(a) of  
8           FECA (2 U.S.C. 437g(a)) is amended by adding at the  
9           end the following new paragraph:

10          “(13) Within 3 days after the Commission receives  
11          a complaint filed pursuant to this section which alleges  
12          that an independent expenditure was made with the co-  
13          operation or consultation of a candidate, or an authorized  
14          committee or agent of such candidate, or was made in con-  
15          cert with or at the request or suggestion of an authorized  
16          committee or agent of such candidate, the Commission  
17          shall provide for a hearing to determine such matter.”.

18          (d) EXPEDITED JUDICIAL REVIEW.—Section 310 of  
19          the FECA (2 U.S.C. 437h) is amended by adding at the  
20          end the following new sentence: “It shall be the duty of  
21          the courts to advance on the docket and to expedite to  
22          the greatest possible extent the disposition of any matter  
23          relating to the making or alleged making of an independ-  
24          ent expenditure.”.

## **TITLE II—INCREASE OF COMPETITION IN POLITICS**

### **SEC. 201. SEED MONEY FOR CHALLENGERS.**

Section 315 of FECA (2 U.S.C. 441a), as amended by section 111, is amended by adding at the end the following new subsection:

“(j)(1) Notwithstanding subsection (a)(2), the congressional campaign committee or the senatorial campaign committee of a national political party, whichever is applicable, may make contributions to an eligible candidate (and the candidate’s authorized committees) which in the aggregate do not exceed the lesser of—

“(A) \$100,000; or

“(B) the aggregate qualified matching contributions received by such candidate and the candidate’s authorized committees.

“(2) Any contribution under paragraph (1) shall not be treated as an expenditure for purposes of subsection (d)(3).

“(3) For purposes of this subsection, the term ‘qualified matching contributions’ means contributions made during the period of the election cycle preceding the primary election by an individual who, at the time such contributions are made, is a resident of the State in which

1 the election with respect to which such contributions are  
2 made is to be held.

3 “(4) For purposes of this subsection, the term ‘eligi-  
4 ble candidate’ means a candidate for Federal office (other  
5 than President or Vice President) who does not hold  
6 Federal office.’’.

7 **SEC. 202. CANDIDATE EXPENDITURES FROM PERSONAL**  
8 **FUNDS.**

9 Section 315 of FECA (2 U.S.C. 441a), as amended  
10 by section 201, is amended by adding at the end the  
11 following new subsection:

12 “(k)(1)(A) Not less than 15 days after a candidate  
13 qualifies for a primary election ballot under State law, the  
14 candidate shall file with the Commission, and each other  
15 candidate who has qualified for that ballot, a declaration  
16 stating whether the candidate intends to expend for the  
17 primary and general election an amount exceeding  
18 \$250,000 from—

19 “(i) the candidate’s personal funds;

20 “(ii) the funds of the candidate’s immediate  
21 family; and

22 “(iii) personal loans incurred by the candidate  
23 and the candidate’s immediate family in connection  
24 with the candidate’s election campaign.



1       “(B) The declaration required by subparagraph (A)  
 2 shall be in such form and contain such information as the  
 3 Commission may require by regulation.

4       “(2) Notwithstanding subsection (a), if a candidate—

5           “(A) declares under paragraph (1) that the  
 6 candidate intends to expend for the primary and  
 7 general election funds described in such paragraph  
 8 an amount exceeding \$250,000;

9           “(B) expends such funds in the primary and  
 10 general election an amount exceeding \$250,000; or

11           “(C) fails to file the declaration required by  
 12 paragraph (1),

13 the limitations on contributions under subsection (a), and  
 14 the limitations on expenditures under subsection (d), shall  
 15 be modified as provided under paragraph (3) with respect  
 16 to other candidates for the same office who are not de-  
 17 scribed in subparagraph (A), (B), or (C).

18       “(3) For purposes of paragraph (2)—

19           “(A) the limitation under subsection (a)(1)(A)  
 20 shall be increased to \$5,000; and

21           “(B) if a candidate described in paragraph  
 22 (2)(B) expends more than \$1,000,000 of funds de-  
 23 scribed in paragraph (1) in the primary and general  
 24 election—

1           “(i) the limitation under subsection  
2           (a)(1)(A) shall not apply;

3           “(ii) the limitation under subsection (a)(2)  
4           shall not apply to any political committee of a  
5           political party; and

6           “(iii) the limitation under subsection (d)(3)  
7           shall not apply.

8           The \$5,000 amount under subparagraph (A) shall  
9           be adjusted each calendar year in the same manner  
10          as amounts are adjusted under subsection  
11          (a)(11)(B).

12          “(4) If—

13               “(A) the modifications under paragraph (3)  
14               apply for a convention or a primary election by rea-  
15               son of 1 or more candidates taking (or failing to  
16               take) any action described in subparagraph (A), (B),  
17               or (C) of paragraph (2); and

18               “(B) such candidates are not candidates in any  
19               subsequent election in the same election campaign,  
20               including the general election,

21          paragraph (3) shall cease to apply to the other candidates  
22          in such campaign.

23          “(5) A candidate who—

1           “(A) declares, pursuant to paragraph (1), that  
2       the candidate does not intend to expend funds de-  
3       scribed in paragraph (1) in excess of \$250,000; and

4           “(B) subsequently changes such declaration or  
5       expends such funds in excess of that amount,  
6       shall file an amended declaration with the Commission and  
7       notify all other candidates for the same office within 24  
8       hours after changing such declaration or exceeding such  
9       limits, whichever first occurs, by sending a notice by cer-  
10      tified mail, return receipt requested.

11       “(6) Contributions to a candidate or a candidate’s  
12      authorized committees may be used to repay any expendi-  
13      ture or personal loan incurred in connection with the can-  
14      didate’s election to Federal office by a candidate or a  
15      member of the candidate’s immediate family only to the  
16      extent that such repayment—

17           “(A) is limited to the amount of such expendi-  
18      ture or the principal amount of such loan (and no  
19      interest is paid); and

20           “(B) is not made from any such contributions  
21      received after the date of the general election to  
22      which such expenditure or loan relates.

23       “(7) For purposes of this subsection, the term ‘imme-  
24      diate family’ means—

25           “(A) a candidate’s spouse;

1           “(B) any child, stepchild, parent, grandparent,  
2           brother, half-brother, sister, or half-sister of the can-  
3           didate or the candidate’s spouse; and

4           “(C) the spouse of a person described in sub-  
5           paragraph (B).

6           “(8) The Commission shall take such action as it  
7           deems necessary under the enforcement provisions of this  
8           Act to ensure compliance with this subsection.”.

9   **SEC. 203. FRANKED COMMUNICATIONS.**

10          (a) AMENDMENT OF TITLE 39, UNITED STATES  
11          CODE.—(1) Section 3210(a)(6)(A) of title 39, United  
12          States Code is amended—

13                 (A) by striking clause (i) and inserting the  
14          following new clause:

15                         “(i) if the mass mailing is mailed dur-  
16                         ing the calendar year of any primary or  
17                         general election (whether regular or run-  
18                         off) in which the Member is a candidate  
19                         for reelection; or”; and

20                 (B) in clause (ii)(II), by striking “fewer than  
21          60 days immediately before the date” and inserting  
22          “during the year”.

23          (2) Section 3210(a)(6)(C) of title 39, United States  
24          Code, is amended by striking “fewer than 60 days imme-  
25          diately before the date” and inserting “during the year”.

1       (3) Section 3210(a)(6) of title 39, United States  
2 Code, is amended—

3           (A) by redesignating subparagraphs (D), (E),  
4       and (F) as subparagraphs (E), (F), and (G), respec-  
5       tively; and

6           (B) by inserting after subparagraph (C) the  
7       following new subparagraph:

8       “(D)(i)(I) When a Member of the Senate dissemi-  
9       nates information under the frank by a mass mailing, the  
10      Member shall register annually with the Secretary of the  
11      Senate such mass mailings. Such registration shall be  
12      made by filing with the Secretary of the Senate a copy  
13      of the matter mailed and providing, on a form supplied  
14      by the Secretary of the Senate, a description of the group  
15      or groups of persons to whom the mass mailing was  
16      mailed.

17      “(II) The Secretary of the Senate shall promptly  
18      make available for public inspection and copying a copy  
19      of the mail matter registered and a description of the  
20      group or groups of persons to whom the mass mailing was  
21      mailed.

22      “(ii)(I) When a Member of the House of Representa-  
23      tives disseminates information under the frank by a mass  
24      mailing, the Member shall register annually with the Clerk  
25      of the House of Representatives such mass mailings. Such

1 registration shall be made by filing with the Clerk of the  
 2 House of Representatives a copy of the matter mailed and  
 3 providing, on a form supplied by the Clerk of the House  
 4 of Representatives, a description of the group or groups  
 5 of persons to whom the mass mailing was mailed.

6 “(II) The Clerk of the House of Representatives shall  
 7 promptly make available for public inspection and copying  
 8 a copy of the mail matter registered and a description of  
 9 the group or groups of persons to whom the mass mailing  
 10 was mailed.”.

11 (b) AMENDMENT OF STANDING RULES OF THE SEN-  
 12 ATE.—(1) Paragraph 1 of rule XL of the Standing Rules  
 13 of the Senate is amended by striking “less than sixty days  
 14 immediately before the date” and inserting “during the  
 15 year”.

16 (2) This subsection is enacted—

17 (A) as an exercise of the rulemaking power of  
 18 the Senate; and

19 (B) with full recognition of the constitutional  
 20 right of the Senate to change the rules at any time,  
 21 in the same manner and to the same extent as in  
 22 the case of any other rule of the Senate.

23 **SEC. 204. LIMITATIONS ON GERRYMANDERING.**

24 (a) REAPPORTIONMENT OF REPRESENTATIVES.—  
 25 Section 22 of the Act entitled “An Act to provide for the

1 fifteenth and subsequent decennial censuses and to pro-  
2 vide for apportionment of Representatives in Congress,”  
3 approved June 18, 1929 (2 U.S.C. 2a), is amended—

4 (1) by striking subsection (c); and

5 (2) by adding at the end the following new sub-  
6 sections:

7 “(c)(1) In each State entitled in the One Hundred  
8 Third Congress or in any subsequent Congress to more  
9 than one Representative under an apportionment made  
10 pursuant to the second paragraph of the Act entitled ‘An  
11 Act for the relief of Doctor Ricardo Vallejo Samala and  
12 to provide for congressional redistricting’, approved De-  
13 cember 14, 1967 (2 U.S.C. 2c), as in effect prior to the  
14 date of enactment of this subsection, there shall be estab-  
15 lished in the manner provided by the law of the State a  
16 number of districts equal to the number of Representa-  
17 tives to which such State is so entitled, and Representa-  
18 tives shall be elected only by eligible voters from districts  
19 so established, no district to elect more than 1  
20 Representative.

21 “(2) Such districts shall be established in accordance  
22 with the provisions of this Act as soon as practicable after  
23 the decennial census date established in section 141(a) of  
24 title 13, United States Code, but in no case later than  
25 such time as is reasonably sufficient for their use in the

1 elections for the One Hundred Third Congress and in each  
2 fifth Congress thereafter.

3 “(d)(1) The number of persons in congressional dis-  
4 tricts within each State shall be as nearly equal as is prac-  
5 ticable, as determined under the then most recent decen-  
6 nial census.

7 “(2) The enumeration established according to the  
8 Federal decennial census pursuant to article I, section II,  
9 United States Constitution, shall be the sole basis of popu-  
10 lation for the establishment of congressional districts.

11 “(e) Congressional districts shall be comprised of con-  
12 tiguous territory, including adjoining insular territory.

13 “(f) Congressional districts shall not be established  
14 with the intent or effect of diluting the voting strength  
15 of any person, group of persons, or members of any politi-  
16 cal party.

17 “(g) Congressional districts shall be compact in form.  
18 In establishing such districts, nearby population shall not  
19 be bypassed in favor of more distant population.

20 “(h) Congressional district boundaries shall avoid the  
21 unnecessary division of counties or their equivalent in any  
22 State.

23 “(i) Congressional district boundaries shall be estab-  
24 lished in such a manner so as to minimize the division  
25 of cities, towns, villages, and other political subdivisions.



1       “(j)(1) It is the intent of the Congress that congress-  
2 sional districts established pursuant to this section be sub-  
3 ject to reasonable public scrutiny and comment prior to  
4 their establishment.

5       “(2) At the same time that Federal decennial census  
6 tabulations data, reports, maps, or other material or infor-  
7 mation produced or obtained using Federal funds and as-  
8 sociated with the congressional reapportionment and re-  
9 districting process are made available to any officer or  
10 public body in any State, those materials shall be made  
11 available by the State at the cost of duplication to any  
12 person from that State meeting the qualifications for vot-  
13 ing in an election of a Member of the House of Represent-  
14 atives.

15       “(k) Nothing in this section shall be construed to su-  
16 percede any provision of the Voting Rights Act of 1965  
17 (42 U.S.C. 1973 et seq.).

18       “(l)(1) A State may establish by law criteria for im-  
19 plementing the standards set forth in this section.

20       “(2) Nothing in this section shall be construed as lim-  
21 iting the power of a State to strengthen or add to the  
22 standards set forth in this section, or to interpret those  
23 standards in a manner consistent with the law of the  
24 State, to the extent that any additional criteria or inter-  
25 pretations are not in conflict with this section.

1       “(m)(1) The district courts of the United States shall  
2 have exclusive jurisdiction to hear and determine any ac-  
3 tion to enforce subsections (c) through (l).

4       “(2) A person who meets a State’s qualifications for  
5 voting in an election of a Member of the House of Rep-  
6 resentatives from the State may bring an action in the  
7 district court for the district in which the person resides  
8 to enforce subsections (c) through (l) with regard to the  
9 State in which the person resides.

10       “(3) Notwithstanding any other provision of this sec-  
11 tion, the district courts of the United States shall have  
12 authority to issue all judgments, orders, and decrees nec-  
13 essary to ensure that any criteria established by State law  
14 pursuant to this section are not in conflict with this  
15 section.

16       “(4) With the exception of actions brought for the  
17 relief described in paragraph (3), the district court for the  
18 purposes of this section shall be a three-judge district  
19 court pursuant to section 2284 of title 28, United States  
20 Code.

21       “(5) On motion of any party in accordance with sec-  
22 tion 1657 of title 28, United States Code, it shall be the  
23 duty of the district court to assign the case for briefing  
24 and hearing at the earliest practicable date, and to cause  
25 the case to be in every way expedited. The district court

1 shall have authority to enter all judgments, orders and de-  
2 crees necessary to bring a State into compliance with this  
3 Act.

4 “(6) An action to challenge the establishment of a  
5 congressional district in a State after a Federal decennial  
6 census may not be brought after the end of the 9-month  
7 period beginning on the date on which the last such dis-  
8 trict is so established.

9 “(7) For the purposes of this section, an order dis-  
10 missing a complaint for failure to state a cause of action  
11 shall be appealable in accordance with section 1253 of title  
12 28, United States Code.

13 “(8) If a district court fails to establish a briefing  
14 and hearing schedule that will permit resolution of the  
15 case prior to the next general election, any party may seek  
16 a writ of mandamus from the United States Court of Ap-  
17 peals for the circuit in which the district court sits. The  
18 court of appeals shall have jurisdiction over the motion  
19 for a writ of mandamus and shall establish an expedited  
20 briefing and hearing schedule for resolution of the motion.  
21 Such a motion shall not stay proceedings in the district  
22 court.

23 “(9) If a district court determines that the congres-  
24 sional districts established by a State’s redistricting au-  
25 thority pursuant to this Act are not in compliance with

1 this Act, the court shall remand the plan to the State's  
2 redistricting authority to establish new districts consistent  
3 with subsections (c) through (l). The district court shall  
4 retain jurisdiction over the case after remand.

5       “(10) If, after a remand under paragraph (9), the  
6 district court determines that the congressional districts  
7 established by a State's redistricting authority under the  
8 remand order are not consistent with subsections (c)  
9 through (l), the district court shall enter an order estab-  
10 lishing districts that are consistent with subsections (c)  
11 through (l) for the next general congressional election.

12       “(11) If any question of State law arises in a case  
13 under this section that would require abstention, the dis-  
14 trict court shall not abstain. However, in any State per-  
15 mitting certification of such questions, the district court  
16 shall certify the question to the highest court of the State  
17 whose law is in question. Such certification shall not stay  
18 the proceedings in the district court or delay the court's  
19 determination of the question of State law.

20       “(12) With the exception of actions brought for the  
21 relief described in paragraph (3), an appeal from a deci-  
22 sion of the district court under this section shall be taken  
23 in accordance with section 1253 of title 28, United States  
24 Code. An appeal under this paragraph shall be noticed in  
25 the district court and perfected by docketing in the Su-

1 preme Court within thirty days of the entry of judgment  
2 below. Appeals brought to the Supreme Court under this  
3 paragraph shall be heard as soon as practicable.

4 “(13) For purposes of this section, the term ‘redis-  
5 tricting authority’ means the officer or public body having  
6 initial responsibility for the congressional redistricting of  
7 a State.”.

8 (b) CONFORMING AMENDMENTS AND REPEALER.—

9 (1) The first sentence of section 1657 of title 28, United  
10 States Code, is amended by striking “chapter 153 or” and  
11 inserting “chapter 153, any action under subsection (m)  
12 through (l) of section 22 of the Act entitled ‘An Act to  
13 provide for the fifteenth and subsequent censuses and to  
14 provide for apportionment of Representatives in Con-  
15 gress,’ approved June 18, 1929 (2 U.S.C. 2a), or”.

16 (2) Section 141(c) of title 13, United States Code,  
17 is amended by adding at the end the following: “In cir-  
18 cumstances in which this subsection requires that the Sec-  
19 retary provide criteria to, consult with, or report tabula-  
20 tions of population to (or if the Secretary for any reason  
21 provides material or information to) the public bodies hav-  
22 ing responsibility for the legislative apportionment or dis-  
23 tricting of a State, the Secretary shall provide, without  
24 cost, such criteria, consultations, tabulations, or other ma-  
25 terial or information simultaneously to the leadership of

1 each political party represented on such public bodies. For  
 2 purposes of this subsection, the term ‘political party’  
 3 means any political party whose candidates for Represent-  
 4 atives to Congress received, as the candidates of such  
 5 party, 5 percent or more of the total number of votes re-  
 6 ceived statewide by all candidates for such office in any  
 7 of the 5 most recent general congressional elections. Such  
 8 materials may include those developed by the Census Bu-  
 9 reau for redistricting purposes for the 1990 Census.”.

10 (3) The second paragraph of the Act entitled “An Act  
 11 for the relief of Doctor Ricardo Vallejo Samala and to pro-  
 12 vide for congressional redistricting”, approved December  
 13 14, 1967 (2 U.S.C. 2c), is repealed.

14 **SEC. 205. ELECTION FRAUD, OTHER PUBLIC CORRUPTION,**  
 15 **AND FRAUD IN INTERSTATE COMMERCE.**

16 (a) ELECTION FRAUD AND OTHER PUBLIC CORRUP-  
 17 TION.—(1) Chapter 11 of title 18, United States Code,  
 18 is amended by adding at the end the following new section:

19 **“§ 225. Public corruption**

20 “(a) Whoever, in a circumstance described in sub-  
 21 section (d), deprives or defrauds, or endeavors to deprive  
 22 or to defraud, by any scheme or artifice, the inhabitants  
 23 of a State or political subdivision of a State of the honest  
 24 services of an official or employee of such State, political  
 25 subdivision, or Indian tribal government shall be fined

1 under this title, or imprisoned for not more than 10 years,  
2 or both.

3 “(b) Whoever, in a circumstance described in sub-  
4 section (d), deprives or defrauds, or endeavors to deprive  
5 or to defraud, by any scheme or artifice, the inhabitants  
6 of a State or political subdivision of a State of a fair and  
7 impartially conducted election process in any primary,  
8 runoff, special, or general election—

9 “(1) through the procurement, casting, or tab-  
10 ulation of ballots that are materially false, fictitious,  
11 or fraudulent or that are invalid, under the laws of  
12 the State in which the election is held;

13 “(2) through paying or offering to pay any per-  
14 son for voting;

15 “(3) through the procurement or submission of  
16 voter registrations that contain false material infor-  
17 mation, or omit material information; or

18 “(4) through the filing of any report required  
19 to be filed under State law regarding an election  
20 campaign that contains false material information or  
21 omits material information,

22 shall be fined under this title or imprisoned for not more  
23 than 10 years, or both.

24 “(c) Whoever, being a public official or an official or  
25 employee of a State, political subdivision of a State, or

1 Indian tribal government, in a circumstance described in  
2 subsection (d), deprives or defrauds, or endeavors to de-  
3 prive or to defraud, by any scheme or artifice, the inhab-  
4 itants of a State or political subdivision of a State of the  
5 right to have the affairs of the State, political subdivision,  
6 or Indian tribal government conducted on the basis of  
7 complete, true, and accurate material information, shall  
8 be fined under this title or imprisoned for not more than  
9 10 years, or both.

10 “(d) The circumstances referred to in subsections (a),  
11 (b), and (c) are that—

12 “(1) for the purpose of executing or concealing  
13 such scheme or artifice or attempting to do so, the  
14 person so doing—

15 “(A) places in any post office or authorized  
16 depository for mail matter, any matter or thing  
17 whatever to be sent or delivered by the Postal  
18 Service, or takes or receives therefrom, any  
19 such matter or thing, or knowingly causes to be  
20 delivered by mail according to the direction  
21 thereon, or at the place at which it is directed  
22 to be delivered by the person to whom it is ad-  
23 dressed, any such matter or thing;

24 “(B) transmits or causes to be transmitted  
25 by means of wire, radio, or television commu-



1            nication in interstate or foreign commerce any  
2            writings, signs, signals, pictures, or sounds;

3            “(C) transports or causes to be trans-  
4            ported any person or thing, or induces any per-  
5            son to travel in or to be transported in, inter-  
6            state or foreign commerce; or

7            “(D) uses or causes to use of any facility  
8            of interstate or foreign commerce;

9            “(2) the scheme or artifice affects or constitutes  
10          an attempt to affect in any manner or degree, or  
11          would if executed or concealed so affect, interstate  
12          or foreign commerce; or

13          “(3) as applied to an offense under subsection  
14          (b), an objective of the scheme or artifice is to se-  
15          cure the election of an official who, if elected, would  
16          have some authority over the administration of  
17          funds derived from an Act of Congress totaling  
18          \$10,000 or more during the twelve-month period im-  
19          mediately preceding or following the election or date  
20          of the offense.

21          “(e) Whoever deprives or defrauds, or endeavors to  
22          deprive or to defraud, by any scheme or artifice, the inhab-  
23          itants of the United States of the honest services of a pub-  
24          lic official or person who has been selected to be a public

1 official shall be fined under this title or imprisoned for  
2 not more than 10 years, or both.

3       “(f) Whoever, being an official, public official, or per-  
4 son who has been selected to be a public official, directly  
5 or indirectly discharges, demotes, suspends, threatens,  
6 harasses, or in any manner discriminates against an em-  
7 ployee or official of the United States or any State or po-  
8 litical subdivision of a State, or endeavors to do so, in  
9 order to carry out or to conceal any scheme or artifice  
10 described in this section, shall be fined under this title or  
11 subject to imprisonment of up to 5 years or both.

12       “(g)(1) An employee or official of the United States  
13 or any State or political subdivision of such State who is  
14 discharged, demoted, suspended, threatened, harassed, or  
15 in any other manner discriminated against because of law-  
16 ful acts done by the employee as a result of a violation  
17 of subsection (e) or because of actions by the employee  
18 or official on behalf of himself or others in furtherance  
19 of a prosecution under this section (including investigation  
20 for, initiation of, testimony for, or assistance in such a  
21 prosecution) may bring a civil action and shall be entitled  
22 to all relief necessary to make such employee or official  
23 whole. Such relief shall include reinstatement with the  
24 same seniority status that the employee or official would  
25 have had but for the discrimination, 3 times the amount

1 of back pay, interest on the back pay, and compensation  
2 for any special damages sustained as a result of the dis-  
3 crimination, including reasonable litigation costs and rea-  
4 sonable attorney's fees.

5       “(2) An individual shall not be entitled to relief under  
6 paragraph (1) if the individual participated in the violation  
7 of this section with respect to which relief is sought.

8       “(3) A civil action brought under paragraph (1) shall  
9 be stayed by a court upon the certification of an attorney  
10 for the Government, stating that the action may adversely  
11 affect the interests of the Government in a current crimi-  
12 nal investigation or proceeding. The attorney for the Gov-  
13 ernment shall promptly notify the court when the stay may  
14 be lifted without such adverse effects.

15       “(h) For purposes of this section—

16               “(1) the term ‘State’ means a State of the  
17 United States, the District of Columbia, Puerto  
18 Rico, and any other commonwealth, territory, or  
19 possession of the United States;

20               “(2) the terms ‘public official’ and ‘person who  
21 has been selected to be a public official’ have the  
22 meaning set forth in section 201 and shall also in-  
23 clude any person acting or pretending to act under  
24 color of official authority;

25               “(3) the term ‘official’ includes—

1           “(A) any person employed by, exercising  
2           any authority derived from, or holding any posi-  
3           tion in an Indian tribal government or the gov-  
4           ernment of a State or any subdivision of the ex-  
5           ecutive, legislative, judicial, or other branch of  
6           government thereof, including a department,  
7           independent establishment, commission, admin-  
8           istration, authority, board, and bureau, and a  
9           corporation or other legal entity established and  
10          subject to control by a government or govern-  
11          ments for the execution of a governmental or  
12          intergovernmental program;

13          “(B) any person acting or pretending to  
14          act under color of official authority; and

15          “(C) includes any person who has been  
16          nominated, appointed or selected to be an offi-  
17          cial or who has been officially informed that he  
18          or she will be so nominated, appointed or se-  
19          lected;

20          “(4) the term ‘under color of official authority’  
21          includes any person who represents that the person  
22          controls, is an agent of, or otherwise acts on behalf  
23          of an official, public official, and person who has  
24          been selected to be a public official; and

1           “(5) the term ‘uses any facility of interstate or  
2           foreign commerce’ includes the intrastate use of any  
3           facility that may also be used in interstate or foreign  
4           commerce.”.

5           (2)(A) The chapter analysis for chapter 11 of title  
6   18, United States Code, is amended by adding at the end  
7   the following item:

          “225. Public Corruption.”.

8           (B) Section 1961(1) of title 18, United States Code,  
9   is amended by inserting “section 225 (relating to public  
10   corruption),” after “section 224 (relating to sports brib-  
11   ery),”.

12          (C) Section 2516(1)(c) of title 18, United States  
13   Code, is amended by inserting “section 225 (relating to  
14   public corruption),” after “section 224 (bribery in sport-  
15   ing contests),”.

16          (b) FRAUD IN INTERSTATE COMMERCE.—(1) Section  
17   1343 of title 18, United States Code, is amended—

18                (A) by striking “transmits or causes to be  
19               transmitted by means of wire, radio, or television  
20               communication in interstate or foreign commerce,  
21               any writings, signs, signals, pictures, or sounds” and  
22               inserting “uses or causes to be used any facility of  
23               interstate or foreign commerce”; and

1 (B) by inserting “or attempting to do so” after  
 2 “for the purpose of executing such scheme or arti-  
 3 fice”.

4 (2)(A) The heading of section 1343 of title 18, Unit-  
 5 ed States Code, is amended to read as follows:

6 **“§ 1343. Fraud by use of facility of interstate com-  
 7 merce”.**

8 (B) The chapter analysis for chapter 63 of title 18,  
 9 United States Code, is amended by striking the item for  
 10 section 1343 and inserting the following:

“1343. Fraud by use of facility of interstate commerce.”.

## 11 **TITLE III—REDUCTION OF** 12 **CAMPAIGN COSTS**

### 13 **SEC. 301. BROADCAST DISCOUNT.**

14 (a) FINDINGS.—The Congress finds that—

15 (1) in the 45 days preceding a primary election,  
 16 and in the 60 days preceding a general election, can-  
 17 didates for political office need to be able to buy, at  
 18 the lowest unit charge, nonpreemptible advertising  
 19 spots from broadcast stations and cable television  
 20 stations to ensure that their messages reach the in-  
 21 tended audience and that the voting public has an  
 22 opportunity to make informed decisions;

23 (2) since the Communications Act of 1934 was  
 24 amended in 1972 to guarantee the lowest unit  
 25 charge for candidates during these important

1 preelection periods, the method by which advertising  
2 spots are sold in the broadcast and cable industries  
3 has changed significantly;

4 (3) changes in the method for selling advertis-  
5 ing spots have made the interpretation and enforce-  
6 ment of the lowest unit charge provision difficult  
7 and complex;

8 (4) clarification and simplification of the lowest  
9 unit charge provision in the Communications Act of  
10 1934 is necessary to ensure compliance with the  
11 original intent of the provision; and

12 (5) in granting discounts and setting charges  
13 for advertising time, broadcasters and cable opera-  
14 tors should treat candidates for political office at  
15 least as well as the most favored commercial adver-  
16 tisers.

17 (b) AMENDMENT OF COMMUNICATIONS ACT.—Sec-  
18 tion 315 of the Communications Act of 1934 (47 U.S.C.  
19 315) is amended—

20 (1) in subsection (b)(1) by striking “class and”;

21 (2) by redesignating subsections (c) and (d) as  
22 subsections (d) and (e), respectively; and

23 (3) by inserting after subsection (b) the follow-  
24 ing new subsection:

1 “(c) A licensee shall not preempt the use, during any  
 2 period specified in subsection (b)(1), of a broadcasting sta-  
 3 tion by a legally qualified candidate for public office who  
 4 has purchased such use pursuant to subsection (b)(1).”.

5 **TITLE IV—MISCELLANEOUS**  
 6 **PROVISIONS**

7 **Subtitle A—Federal Election Com-**  
 8 **mission Enforcement Authority**

9 **SEC. 401. ELIMINATION OF REASON TO BELIEVE STAND-**  
 10 **ARD.**

11 Section 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is  
 12 amended—

13 (1) by inserting “(A)” after “(2)”; and

14 (2) by striking the first sentence and inserting  
 15 the following: “Except as otherwise provided in sub-  
 16 paragraph (B), if the Commission, upon receiving a  
 17 complaint under paragraph (1) or on the basis of in-  
 18 formation ascertained in the normal course of carry-  
 19 ing out its supervisory responsibilities determines, by  
 20 an affirmative vote of 4 of its members, that an alle-  
 21 gation of a violation or from pending violation of  
 22 this Act or chapter 95 or 96 of the Internal Revenue  
 23 Code of 1986 states a claim of violation that would  
 24 be sufficient under the standard applicable to a mo-  
 25 tion under rule 12(b)(6) of the Federal Rules of



1 Civil Procedure, the Commission shall, through its  
2 chairman or vice chairman, notify the person of the  
3 alleged violation. Such vote shall occur within 90  
4 days after receipt of such complaint.”.

5 **SEC. 402. INJUNCTIVE AUTHORITY.**

6 Section 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)),  
7 as amended by section 401, is amended by adding at the  
8 end the following new subparagraph:

9 “(B) The Commission may petition the appropriate  
10 court for an injunction if—

11 “(i) the Commission believes that there is a  
12 substantial likelihood that a violation of this Act or  
13 of chapter 95 or 96 of the Internal Revenue Code  
14 of 1986 is occurring or is about to occur;

15 “(ii) the failure to act expeditiously will result  
16 in irreparable harm to a party affected by the poten-  
17 tial violation;

18 “(iii) such expeditious action will not cause  
19 undue harm or prejudice to the interests of others;  
20 and

21 “(iv) the public interest would be best served by  
22 the issuance of an injunction.”.

23 **SEC. 403. TIME PERIODS.**

24 Section 309(a)(4)(A) of FECA (2 U.S.C.  
25 437g(a)(4)(A)) is amended—

1 (1) in clause (i)—

2 (A) by striking “, for a period of at least  
3 30 days,”; and

4 (B) by striking “90 days” and inserting  
5 “60 days”; and

6 (2) in clause (ii) by striking “at least” and in-  
7 serting “no more than”.

8 **SEC. 404. KNOWING VIOLATION PENALTIES.**

9 Section 309(a)(5)(B) of FECA (2 U.S.C.  
10 437g(a)(5)(B)) is amended by striking “may require that  
11 the person involved in such conciliation agreement shall  
12 pay a civil penalty which does not exceed the greater of  
13 \$10,000 or an amount equal to 200 percent of any con-  
14 tribution or expenditure involved in such violation” and  
15 inserting “shall require that the person involved in such  
16 conciliation agreement shall pay a civil penalty which is  
17 not less than the greater of \$5,000 or an amount equal  
18 to any contribution or expenditure involved in such viola-  
19 tion, except that if the Commission believes that a know-  
20 ing and willful violation of this Act or of chapter 95 or  
21 chapter 96 of the Internal Revenue Code of 1986 has been  
22 committed during the 15-day period immediately preced-  
23 ing any election, a conciliation agreement entered into by  
24 the Commission under paragraph (4)(A) shall require that  
25 the person involved in such conciliation agreement shall

1 pay a civil penalty which is not less than the greater of  
2 \$10,000 or an amount equal to 200 percent of any con-  
3 tribution or expenditure involved in such violation”.

4 **SEC. 405. COURT RESOLVED VIOLATIONS AND PENALTIES.**

5 Section 309(a)(6) of the Federal Election Campaign  
6 Act of 1971 (2 U.S.C. 437g(a)(6)) is amended—

7 (1) in subparagraph (A)—

8 (A) by striking “Commission may” and in-  
9 serting “Commission shall”;

10 (B) by striking “including” and inserting  
11 “which shall include”; and

12 (C) by striking “which does not exceed the  
13 greater of \$5,000 or an amount equal to any”  
14 and inserting “which equals the greater of  
15 \$10,000 or an amount equal to 200 percent of  
16 any”; and

17 (2) in subparagraph (B)—

18 (A) by striking “court may” and inserting  
19 “court shall”; and

20 (B) by striking “, including” and inserting  
21 “which shall include”; and

22 (C) by striking “which does not exceed the  
23 greater of \$5,000 or an amount equal to any”  
24 and inserting “which equals the greater of

1           \$10,000 or an amount equal to 200 percent of  
2           any”.

3 **SEC. 406. PRIVATE CIVIL ACTIONS.**

4           Section 309(a)(6)(A) of FECA (2 U.S.C.  
5 437g(a)(6)(A)), as amended by section 405, is amended—

6           (1) by inserting “(i)” after “(6)(A)”; and

7           (2) by adding at the end the following new  
8           clause:

9           “(ii) If, by a tie vote, the Commission does not vote  
10 to institute a civil action pursuant to clause (i), the can-  
11 didate involved in such election, or an individual author-  
12 ized to act on behalf of such candidate, may file an action  
13 for appropriate relief in the district court for the district  
14 in which the respondent is found, resides, or transacts  
15 business. If the court determines that a violation has oc-  
16 curred, the court shall impose the appropriate civil pen-  
17 alty. Any such award of a civil penalty made under this  
18 paragraph shall be made in favor of the United States.  
19 In addition to any such civil penalty, the court shall award  
20 to the prevailing party in any action under this paragraph,  
21 all attorneys’ fees and actual costs reasonably incurred in  
22 the investigation and pursuit of any such action, including  
23 those attorneys’ fees and costs reasonably incurred in  
24 bringing or defending the proceeding before the Commis-  
25 sion.”.

1 **SEC. 407. KNOWING VIOLATIONS RESOLVED IN COURT.**

2 Section 309(a)(6)(C) of FECA (2 U.S.C.  
3 437g(a)(6)(C)) is amended by striking “may impose a civil  
4 penalty which does not exceed the greater of \$10,000 or  
5 an amount equal to 200 percent of any contribution or  
6 expenditure involved in such violation” and inserting  
7 “shall impose a civil penalty which is not less than the  
8 greater of \$10,000 or an amount equal to 200 percent  
9 of any contribution or expenditure involved in such viola-  
10 tion, except that if such violation was committed during  
11 the 15-day period immediately preceding the election, the  
12 court shall impose a civil penalty which is not less than  
13 the greater of \$15,000 or an amount equal to 300 percent  
14 of any contribution or expenditure involved in such  
15 violation”.

16 **SEC. 408. ACTION ON COMPLAINT BY COMMISSION.**

17 Section 309(a)(8)(A) of FECA (2 U.S.C.  
18 437g(a)(8)(A)) is amended—

19 (1) by striking “act on” and inserting “reason-  
20 ably pursue”;

21 (2) by striking “120-day” and inserting “60-  
22 day”; and

23 (3) by striking “United States District Court  
24 for the District of Columbia” and inserting “appro-  
25 priate court”.

1 **SEC. 409. VIOLATION OF CONFIDENTIALITY REQUIREMENT.**

2 Section 309(a)(12)(B) of FECA (2 U.S.C.  
3 437g(a)(12)(A)) is amended—

4 (1) by striking “\$2,000” and inserting  
5 “\$5,000”; and

6 (2) by striking “\$5,000” and inserting  
7 “\$10,000”.

8 **SEC. 410. PENALTY IN ATTORNEY GENERAL ACTIONS.**

9 Section 309(d)(1)(A) of FECA (2 U.S.C.  
10 437g(d)(1)(A)) is amended by striking “exceed” and in-  
11 serting “be less than”.

12 **SEC. 411. AMENDMENTS RELATING TO ENFORCEMENT AND**  
13 **JUDICIAL REVIEW.**

14 (a) TIME LIMITATIONS FOR AND INDEX OF INVES-  
15 TIGATIONS.—Section 309(a) of FECA (2 U.S.C. 437g(a)),  
16 as amended by section 124, is amended by adding at the  
17 end the following new paragraphs:

18 “(14) The Commission shall establish time limita-  
19 tions for investigations under this subsection.

20 “(15) The Commission shall publish an index of all  
21 investigations under this section and shall update the  
22 index quarterly.”.

23 (b) PROCEDURE ON INITIAL DETERMINATION.—Sec-  
24 tion 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)), as amend-  
25 ed by section 402, is amended by adding at the end the  
26 following: “Before a vote based on information ascertained

1 in the normal course of carrying out supervisory respon-  
2 sibilities, the person alleged to have committed the viola-  
3 tion shall be notified of the allegation and shall have the  
4 opportunity to demonstrate, in writing, to the Commission  
5 within 15 days after notification that no action should be  
6 taken against such person on the basis of the information.  
7 Prior to any determination, the Commission may request  
8 voluntary responses to questions from any person who  
9 may become the subject of an investigation. A determina-  
10 tion under this paragraph shall be accompanied by a writ-  
11 ten statement of the reasons for the determination.”.

12 (c) PROCEDURE ON PROBABLE CAUSE DETERMINA-  
13 TION.—(1) Section 309(a)(3) of FECA (2 U.S.C.  
14 437g(a)(3)) is amended by adding at the end the follow-  
15 ing: “The Commission shall make available to a respond-  
16 ent any documentary or other evidence relied on by the  
17 general counsel in making a recommendation under this  
18 subsection. Any brief or report by the general counsel that  
19 replies to the respondent’s brief shall be provided to the  
20 respondent.”.

21 (2) Section 309(a)(4)(A) of FECA (2 U.S.C.  
22 437g(a)(4)(A)) is amended by adding at the end the fol-  
23 lowing new clauses:

24 “(iii) A determination under clause (i) shall be made  
25 only after opportunity for a hearing upon request of the

1 respondent and shall be accompanied by a statement of  
2 the reasons for the determination.

3 “(iv) The Commission shall not require that any con-  
4 ciliation agreement under this paragraph contain an ad-  
5 mission by the respondent of a violation of this Act or  
6 any other law.”.

7 (d) ELIMINATION OF EN BANC HEARING REQUIRE-  
8 MENT.—Section 310 of FECA (2 U.S.C. 437h), as  
9 amended by section 124(d), is amended by striking “,  
10 which shall hear the matter sitting en banc”.

11 **SEC. 412. TIGHTENING ENFORCEMENT.**

12 (a) REPEAL OF PERIOD OF LIMITATION.—Section  
13 406 of FECA (2 U.S.C. 455) is repealed.

14 (b) SUPPLYING OF INFORMATION TO THE ATTORNEY  
15 GENERAL.—Section 309(a)(12) of the Federal Election  
16 Campaign Act of 1971 (2 U.S.C. 437g(a)(12)(A)) is  
17 amended by adding at the end the following new subpara-  
18 graph:

19 “(C) Nothing in this section shall be deemed to pro-  
20 hibit or prevent the Commission from making information  
21 contained in compliance files available to the Attorney  
22 General, at the Attorney General’s request, in connection  
23 with an investigation or trial.”.



## 1           **Subtitle B—Other Provisions**

### 2   **SEC. 421. DISCLOSURE OF DEBT SETTLEMENT AND LOAN** 3                   **SECURITY AGREEMENTS.**

4           Section 304(b) of FECA (2 U.S.C. 434(b)), as  
 5 amended by section 112, is amended—

6                   (1) by striking “and” at the end of paragraph  
 7           (8);

8                   (2) by striking the period at the end of para-  
 9           graph (9) and by inserting a semicolon; and

10                  (3) by adding at the end the following new  
 11           paragraphs:

12                   “(10) for the reporting period, the terms of any  
 13           settlement agreement entered into with respect to a  
 14           loan or other debt, as evidenced by a copy of such  
 15           agreement filed as part of the report; and

16                   “(11) for the reporting period, the terms of any  
 17           security or collateral agreement entered into with re-  
 18           spect to a loan, as evidenced by a copy of such  
 19           agreement filed as part of the report.”.

### 20   **SEC. 422. CONTRIBUTIONS FOR DRAFT AND ENCOURAGE-** 21                   **MENT PURPOSES WITH RESPECT TO ELEC-** 22                   **TIONS FOR FEDERAL OFFICE.**

23           (a) DEFINITION.—Section 301(8)(A) of FECA (2  
 24 U.S.C. 431(8)(A)) is amended by striking “or” after the  
 25 semicolon at the end of clause (i), by striking the period

1 at the end of clause (ii) and inserting “; and”, and by  
 2 adding at the end the following new clause:

3 “(iii) any gift, subscription, loan, advance, or  
 4 deposit of money or anything of value made by any  
 5 person for the purpose of drafting a clearly identi-  
 6 fied individual as a candidate for Federal office or  
 7 encouraging a clearly identified individual to become  
 8 a candidate for Federal office.”.

9 (b) DRAFT AND ENCOURAGEMENT CONTRIBUTIONS  
 10 TO BE TREATED AS CANDIDATE CONTRIBUTIONS.—Sec-  
 11 tion 315(a) of FECA (2 U.S.C. 441a(a)), as amended by  
 12 this Act, is amended by adding at the end the following  
 13 new paragraph:

14 “(12) For purposes of paragraph (1)(A) and para-  
 15 graph (2)(A), any contribution described in section  
 16 301(8)(A)(iii) shall be treated, with respect to the individ-  
 17 ual involved, as a contribution to a candidate, whether or  
 18 not the individual becomes a candidate.”.

19 **SEC. 423. SEVERABILITY.**

20 If any provision of this Act or any amendment made  
 21 by this Act, or the application of any such provision to  
 22 any person or circumstance is held invalid, the validity of  
 23 any other such provision, and the application of such pro-  
 24 vision to other persons and circumstances shall not be af-  
 25 fected thereby.

1 **SEC. 424. EFFECTIVE DATE.**

2       Except as otherwise provided in this Act, this Act and  
 3 the amendments made by this Act shall become effective  
 4 on November 9, 1994, and shall apply to all contributions  
 5 and expenditures made after that date.

○

S 7 IS——2

S 7 IS——3

S 7 IS——4

S 7 IS——5