

104TH CONGRESS
2D SESSION

H. R. 3053

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 1996

Mr. MARKEY introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committees on Commerce, the Judiciary, Ways and Means, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Citizen Representative Act of 1996”.

6 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—[Reserved]

Subtitle B—Expenditure Limitations, Contribution Limitations, and Voter Communication Vouchers for Eligible House of Representatives Candidates

- Sec. 121. Provisions applicable to eligible House of Representatives candidates.
- Sec. 122. Registration as eligible House of Representatives candidate.
- Sec. 123. Definitions.

TITLE II—LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES

- Sec. 201. Limitations on political committee and large donor contributions that may be accepted by House of Representatives candidates.

TITLE III—INDEPENDENT EXPENDITURES

- Sec. 301. Clarification of definitions relating to independent expenditures.
- Sec. 302. Reporting requirements for certain independent expenditures.
- Sec. 303. Broadcast and cable independent expenditure communications against eligible House of Representatives candidates.
- Sec. 304. Additional expenditures by eligible House of Representatives candidate faced with large amount of independent expenditures.

TITLE IV—CONTRIBUTIONS AND EXPENDITURES BY POLITICAL PARTY COMMITTEES

- Sec. 401. Soft money of political parties.
- Sec. 402. Reporting requirements.
- Sec. 403. Soft money of persons other than political parties.
- Sec. 404. Reporting requirements.
- Sec. 405. Restrictions on fundraising by candidates and officeholders.
- Sec. 406. Increased limitation amount for certain contributions to political committees of State political parties.
- Sec. 407. Building fund exception to the definition of the term “contribution”.

TITLE V—CONTRIBUTIONS

- Sec. 501. Restrictions on bundling.
- Sec. 502. Contributions by dependents not of voting age.
- Sec. 503. Prohibition of acceptance by a candidate of cash contributions from any one person aggregating more than \$100.
- Sec. 504. Contributions to candidates from State and local committees of political parties to be aggregated.
- Sec. 505. Prohibition of false representation to solicit contributions.
- Sec. 506. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.
- Sec. 507. Amendment to section 316 of the Federal Election Campaign Act of 1971.
- Sec. 508. Prohibition of certain election-related activities of foreign nationals.

TITLE VI—REPORTING REQUIREMENTS

- Sec. 601. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 602. Personal and consulting services.
- Sec. 603. Reduction in threshold for reporting of certain information by persons other than political committees.
- Sec. 604. Computerized indices of contributions.
- Sec. 605. Identification.
- Sec. 606. Political committees.
- Sec. 607. Use of candidates' names.
- Sec. 608. Reporting requirements.
- Sec. 609. Simultaneous registration of candidate and candidate's principal campaign committee.
- Sec. 610. Disclosures by organizations that engage in lobbying.

TITLE VII—FEDERAL ELECTION COMMISSION

- Sec. 701. Appearance as amici curiae.
- Sec. 702. Federal Election Commission public service announcements.
- Sec. 703. Authority to seek injunction.
- Sec. 704. Expedited procedures.
- Sec. 705. Insolvent political committees.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Broadcast rates and preemption.
- Sec. 802. Campaign advertising amendments.
- Sec. 803. Telephone voting by persons with disabilities.
- Sec. 804. Transfer of presidential election financing provisions to Federal Election Campaign Act of 1971.

TITLE IX—HOUSE OF REPRESENTATIVES CAMPAIGN ELECTION FUNDING AND RELATED MATTERS

- Sec. 901. Citizen Representative Fund.
- Sec. 902. Designation of overpayments and contributions for the Citizen Representative Fund as specified by the taxpayer.
- Sec. 903. Funding.
- Sec. 904. Affinity cards.

TITLE X—EFFECTIVE DATES; SEVERABILITY

- Sec. 1001. Effective date.
- Sec. 1002. Severability.
- Sec. 1003. Expedited review of constitutional issues.
- Sec. 1004. Regulations.

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

4 **Subtitle A—[Reserved]**

5 **Subtitle B—Expenditure Limita-**
6 **tions, Contribution Limitations,**
7 **and Voter Communication**
8 **Vouchers for Eligible House of**
9 **Representatives Candidates**

10 **SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE**
11 **OF REPRESENTATIVES CANDIDATES.**

12 The Federal Election Campaign Act of 1971 is
13 amended by adding at the end the following new title:

14 **“TITLE VI—EXPENDITURE LIM-**
15 **TATIONS, CONTRIBUTION**
16 **LIMITATIONS, AND VOTER**
17 **COMMUNICATION VOUCHERS**
18 **FOR ELIGIBLE HOUSE OF**
19 **REPRESENTATIVES CAN-**
20 **DIDATES**

21 **“SEC. 601. EXPENDITURE LIMITATIONS.**

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

1 “(b) RUNOFF ELECTION AND SPECIAL ELECTION
2 AMOUNTS.—

3 “(1) RUNOFF ELECTION AMOUNT.—If an eligi-
4 ble House of Representatives candidate is a can-
5 didate in a runoff election, the candidate may make
6 additional expenditures aggregating not more than
7 \$120,000 in the election cycle.

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

13 “(c) CLOSELY CONTESTED PRIMARY.—If, as deter-
14 mined by the Commission, an eligible House of Represent-
15 atives candidate in a contested primary election wins that
16 primary election by a margin of 10 percentage points or
17 less, the candidate may make additional expenditures ag-
18 gregating not more than \$180,000 in the election cycle.

19 “(d) NONPARTICIPATING OPPONENT PROVISIONS.—

20 “(1) LIMITATION EXCEPTION.—The limitations
21 imposed by subsections (a) and (b) do not apply in
22 the case of an eligible House of Representatives can-
23 didate if any other general election candidate seek-
24 ing nomination or election to that office—

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

3 “(B) receives contributions or makes ex-
4 penditures in excess of 25 percent of the limita-
5 tion under subsection (a).

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

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

11 “(B) shall receive voter communication
12 vouchers under section 604.

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

16 “(A) who is not an eligible House of Rep-
17 resentatives candidate; and

18 “(B) who makes contributions in excess of
19 \$50,000 of personal funds of the candidate and
20 members of the candidate’s immediate family to
21 the authorized committee of the candidate or
22 receives contributions or makes expenditures in
23 excess of 25 percent of the limitation under
24 subsection (a);

1 shall report that the threshold has been reached to
2 the Commission who shall then transmit a copy to
3 each other candidate for election to the same office
4 within 48 hours of receipt.

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

6 Any costs incurred by an eligible House of Representatives
7 candidate or his or her authorized committee, or a Federal
8 officeholder, for legal services or Federal, State, or for
9 local income and payroll taxes with respect to a can-
10 didate’s authorized committees, or to comply with section
11 606, shall not be considered in the computation of
12 amounts subject to limitation under this section.

13 “(f) EXEMPTION FOR ACCOUNTING OR FUNDRAISING
14 COSTS.—

15 “(1) Any costs incurred by an eligible House of
16 Representatives candidate or his or her authorized
17 committee in connection with the solicitation of con-
18 tributions on behalf of such candidate or for ac-
19 counting services to ensure compliance with this Act
20 shall not be considered in the computation of
21 amounts subject to limitation under subsection (a)
22 to the extent that the aggregate of such costs does
23 not exceed 10 percent of the limitation under sub-
24 section (a).

1 “(2) An amount equal to 10 percent of salaries
2 and overhead expenditures of an eligible House of
3 Representatives candidate’s campaign headquarters
4 and offices shall not be considered in the computa-
5 tion of amounts subject to limitation under this sec-
6 tion. Any amount excluded under this paragraph
7 shall be applied against the accounting or fundrais-
8 ing expenditure exemption under paragraph (1).

9 “(g) CIVIL PENALTIES.—

10 “(1) LOW AMOUNT OF EXCESS EXPENDI-
11 TURES.—Any eligible House of Representatives can-
12 didate who makes expenditures that exceed a limita-
13 tion under subsection (a) or subsection (b) by 2.5
14 percent or less shall pay to the Commission an
15 amount equal to the amount of the excess expendi-
16 tures.

17 “(2) MEDIUM AMOUNT OF EXCESS EXPENDI-
18 TURES.—Any eligible House of Representatives can-
19 didate who makes expenditures that exceed a limita-
20 tion under subsection (a) or subsection (b) by more
21 than 2.5 percent and less than 5 percent shall pay
22 to the Commission an amount equal to three times
23 the amount of the excess expenditures.

24 “(3) LARGE AMOUNT OF EXCESS EXPENDI-
25 TURES.—Any eligible House of Representatives can-

1 didate who makes expenditures that exceed a limita-
2 tion under subsection (a) or subsection (b) by 5 per-
3 cent or more shall pay to the Commission an
4 amount equal to three times the amount of the ex-
5 cess expenditures plus a civil penalty in an amount
6 determined by the Commission.

7 “(h) INDEXING.—The dollar amounts specified in
8 subsections (a), (b), and (c) shall be adjusted at the begin-
9 ning of each calendar year based on the increase in the
10 price index determined under section 315(e), except that,
11 for the purposes of such adjustment, the base period shall
12 be calendar year 1995.

13 “(i) The limitations of this section do not apply in
14 the case of any recall action held pursuant to State law.

15 **“SEC. 602. CONTRIBUTION LIMITATIONS.**

16 “(a) PERSONAL CONTRIBUTIONS.—An eligible House
17 of Representatives candidate may not, with respect to an
18 election cycle, make contributions or loans to his or her
19 own campaign totaling more than \$25,000 from the per-
20 sonal funds of the candidate. The amount that the can-
21 didate may accept from persons referred to in section
22 315(i)(2) shall be reduced by the amount of contributions
23 made under the preceding sentence. Contributions from
24 the personal funds of a candidate may not be matched
25 under section 604.

1 “(b) LIMITATION EXCEPTION.—The limitation im-
2 posed by subsection (a) does not apply in the case of an
3 eligible House of Representatives candidate if any other
4 candidate for that office—

5 “(1) is not an eligible House of Representatives
6 general election candidate; and

7 “(2) makes contributions or loans to his or her
8 own campaign totaling more than \$25,000 from his
9 or her own personal funds.

10 **“SEC. 603. DECLARATION OF PARTICIPATION; CONTINUING**
11 **ELIGIBILITY.**

12 “The Commission shall determine whether a can-
13 didate is eligible under this title and, by reason of such
14 eligibility may receive benefits under this title. Such deter-
15 mination shall—

16 “(1) in the case of an initial determination, be
17 based on a declaration of participation submitted by
18 the candidate; and

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

23 **“SEC. 604. VOTER COMMUNICATION VOUCHERS.**

24 “(a) IN GENERAL.—An eligible House of Representa-
25 tives candidate shall be entitled to receive, with respect

1 to the general election, an amount of voter communication
2 vouchers equal to the amount of contributions from indi-
3 viduals received by the candidate, but not more than
4 \$200,000, with not more than \$250 to be taken into ac-
5 count per individual.

6 “(b) SPECIFIC REQUIREMENTS.—A candidate for the
7 office of Representative in, or Delegate or Resident Com-
8 missioner to, the Congress may receive voter communica-
9 tion vouchers under subsection (a) only if the candidate—

10 “(1) in an election cycle, has received 10 per-
11 cent of the limit specified in section 601(a) in con-
12 tributions from individuals, with not more than \$250
13 to be taken into account per individual;

14 “(2) qualifies for the general election ballot;

15 “(3) has an opponent on the general election
16 ballot; and

17 “(4) files a declaration of participation in which
18 the candidate agrees to—

19 “(A) comply with the limitations under
20 sections 601 and 315(i);

21 “(B) cooperate in the case of any audit by
22 the Commission by furnishing such campaign
23 records and other information as the Commis-
24 sion may require;

1 “(C) comply with any repayment require-
2 ment under section 606; and

3 “(D) participate in at least 2 debates,
4 sponsored by a nonpartisan or bipartisan orga-
5 nization, with all other general election can-
6 didates for that office who are eligible under
7 this section.

8 “(c) WRITTEN INSTRUMENT REQUIREMENT.—No
9 contribution in any form other than a gift of money made
10 by a written instrument or a certification by the committee
11 making the request that identifies the individual making
12 the contribution by full name and address may be used
13 as a basis for any matching payment under this section.

14 “(d) CERTIFICATION AND PAYMENT.—

15 “(1) CERTIFICATION.—Except as provided in
16 paragraphs (2), (3), and (4) not later than 5 days
17 after receiving a request for payment, the Commis-
18 sion shall certify for payment the amount requested
19 under this section. The request by an eligible can-
20 didate to receive voter communications vouchers
21 under this section shall contain—

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

1 “(B) a verification signed by the candidate
2 and the treasurer of the principal campaign
3 committee of such candidate stating that the in-
4 formation furnished in support of the request,
5 to the best of their knowledge, is correct and
6 fully satisfies the requirements of this title.

7 “(2) PAYMENTS.—The initial payment of voter
8 communication vouchers under subsection (a) to an
9 eligible candidate shall be an amount equal to at
10 least 10 percent of the limit specified in section
11 601(a). All payments shall be—

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

14 “(B) subject to proportional reduction in
15 the case of insufficient funds.

16 “(3) PARTIAL CERTIFICATION.—If the Commis-
17 sion determines that any portion of a request does
18 not meet the requirements for certification, the
19 Commission shall withhold the certification for that
20 portion only and inform the candidate as to how the
21 candidate may correct the request.

22 “(4) CERTIFICATION WITHHELD.—The Com-
23 mission may withhold certification if it determines
24 that a candidate who is otherwise eligible has en-
25 gaged in a pattern of activity indicating that the

1 promises in the candidate’s statement of participa-
2 tion cannot be relied upon.

3 “(e) CLOSELY CONTESTED PRIMARY.—If, as deter-
4 mined by the Commission, an eligible House of Represent-
5 atives candidate in a contested primary election wins that
6 primary election by a margin of 10 percentage points or
7 less, the candidate shall be eligible to receive matching
8 vouchers totaling not more than \$66,600, in addition to
9 any other amount received under this section. The amount
10 available under the preceding sentence is subject to the
11 matching requirements of this section.

12 “(f) INDEPENDENT EXPENDITURE PROVISION.—If,
13 with respect to a general election involving an eligible
14 House of Representatives candidate, any person makes
15 independent expenditures totaling \$10,000 against the eli-
16 gible House of Representatives candidate or in favor of
17 another candidate, the eligible House of Representatives
18 candidate shall be entitled, in addition to any amount re-
19 ceived under subsection (a), to voter communication
20 vouchers equal to the amount of such independent expend-
21 itures, and expenditures may be made from such vouchers
22 without regard to the limitations in section 601.

23 “(g) PROHIBITION OF CONVERSION TO PERSONAL
24 USE.—An eligible candidate who receives voter commu-
25 nication vouchers under this section may not convert any

1 amount to personal use or make any payments, directly
2 or indirectly, to such candidate or to any members of the
3 immediate family of the candidate.

4 “(h) INDEXING.—The dollar amount specified in sub-
5 sections (a) and (e) (other than the amount taken into
6 account per individual) shall be adjusted at the beginning
7 of the calendar year based on the increase in the price
8 index determined under section 315(c), except that, for
9 the purposes of such adjustment, the base period shall be
10 calendar year 1995.

11 “(i) USE OF VOTER COMMUNICATION VOUCHERS.—
12 Voter communication vouchers shall be used by an eligible
13 House of Representatives candidate—

14 “(1) to purchase broadcast time during the gen-
15 eral election period in the same manner as other
16 broadcast time may be purchased by the candidate;

17 “(2) to purchase print advertisements during
18 the general election period;

19 “(3) to purchase voter contact campaign mate-
20 rials (brochures, bumper stickers, handbills, pins,
21 posters, and yard signs) used during the general
22 election period; or

23 “(4) to pay for postage expenses incurred dur-
24 ing the general election period.

1 “(j) UNEXPENDED VOUCHERS.—Any amount of
2 voter communication vouchers received by an eligible
3 House candidate under this title and not expended on or
4 before the date of the general election shall be repaid with-
5 in 60 days of the election, except that a reasonable amount
6 may be retained for a period not exceeding 120 days after
7 the date of the general election for the liquidation of obli-
8 gations to pay expenditures for the general election in-
9 curred during the general election period. At the end of
10 the 120-day period, any unexpended vouchers received
11 under this title shall be promptly repaid.

12 **“SEC. 605. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
13 **VISION COMMERCIALS OF ELIGIBLE HOUSE**
14 **OF REPRESENTATIVES CANDIDATES.**

15 “No eligible House of Representatives candidate may
16 receive amounts under section 604 unless such candidate
17 has certified to the Federal Election Commission that any
18 television commercial prepared or distributed by the can-
19 didate will be prepared in a manner that contains, is ac-
20 companied by, or otherwise readily permits closed caption-
21 ing of the oral content of the commercial to be broadcast
22 by way of line 21 of the vertical blanking interval, or by
23 way of comparable successor technologies.

1 **“SEC. 606. EXAMINATION AND AUDITS; REPAYMENTS.**

2 “(a) GENERAL ELECTION.—After each general elec-
3 tion, the Commission shall conduct an examination and
4 audit of the campaign accounts of 5 percent of the eligible
5 House of Representatives candidates, as designated by the
6 Commission through the use of an appropriate statistical
7 method of random selection, to determine whether such
8 candidates have complied with the conditions of eligibility
9 and other requirements of this title. No other factors shall
10 be considered in carrying out such an examination and
11 audit. The Commission shall conduct an examination and
12 audit of the accounts of all candidates from a congres-
13 sional district where any eligible candidate is selected for
14 examination and audit.

15 “(b) SPECIAL ELECTION.—After each special elec-
16 tion, the Commission shall conduct an examination and
17 audit of the campaign accounts of all eligible candidates
18 in the election to determine whether the candidates have
19 complied with the conditions of eligibility and other re-
20 quirements of this title.

21 “(c) AFFIRMATIVE VOTE.—The Commission may
22 conduct an examination and audit of the campaign ac-
23 counts of any eligible House of Representatives candidate
24 in a general election if the Commission, by an affirmative
25 vote of 4 members, determines that there exists reason

1 to believe whether such candidate may have violated any
2 provision of this title.

3 “(d) PAYMENTS.—If the Commission determines that
4 any amount of a payment to a candidate under this title
5 was in excess of the aggregate payments to which such
6 candidate was entitled, the Commission shall so notify the
7 candidate, and the candidate shall pay an amount equal
8 to the excess.

9 **“SEC. 607. JUDICIAL REVIEW.**

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

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

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

1 **“SEC. 608. PARTICIPATION BY COMMISSION IN JUDICIAL**
2 **PROCEEDINGS.**

3 “(a) APPEARANCES.—The Commission is authorized
4 to appear in and defend against any action instituted
5 under this section and under section 607 either by attor-
6 neys employed in its office or by counsel whom it may ap-
7 point without regard to the provisions of title 5, United
8 States Code, governing appointments in the competitive
9 service, and whose compensation it may fix without regard
10 to the provisions of chapter 51 and subchapter III of chap-
11 ter 53 of such title.

12 “(b) INSTITUTION OF ACTIONS.—The Commission is
13 authorized, through attorneys and counsel described in
14 subsection (a), to institute actions in the district courts
15 of the United States to seek recovery of any amounts de-
16 termined under this title to be payable to the Secretary.

17 “(c) INJUNCTIVE RELIEF.—The Commission is au-
18 thorized, through attorneys and counsel described in sub-
19 section (a), to petition the courts of the United States for
20 such injunctive relief as is appropriate in order to imple-
21 ment any provision of this title.

22 “(d) APPEALS.—The Commission is authorized on
23 behalf of the United States to appeal from, and to petition
24 the Supreme Court for certiorari to review, judgments or
25 decrees entered with respect to actions in which it appears
26 pursuant to the authority provided in this section.

1 **“SEC. 609. REPORTS TO CONGRESS; CERTIFICATIONS; REG-**
2 **ULATIONS.**

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

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

10 “(2) the aggregate amount of voter communica-
11 tion vouchers certified by the Commission under sec-
12 tion 604 for each eligible candidate; and

13 “(3) the amount of repayments, if any, required
14 under section 606, and the reasons for each repay-
15 ment required.

16 Each report submitted pursuant to this section shall be
17 printed as a House document.

18 “(b) **DETERMINATIONS BY COMMISSION.**—All deter-
19 minations (including certifications under section 604)
20 made by the Commission under this title shall be final and
21 conclusive, except to the extent that they are subject to
22 examination and audit by the Commission under section
23 606 or judicial review under section 607.

24 “(c) **RULES AND REGULATIONS.**—The Commission is
25 authorized to prescribe such rules and regulations, in ac-
26 cordance with the provisions of subsection (d), to conduct

1 such audits, examinations and investigations, and to re-
 2 quire the keeping and submission of such books, records,
 3 and information, as it deems necessary to carry out the
 4 functions and duties imposed on it by this title.

5 “(d) REPORT OF PROPOSED REGULATIONS.—The
 6 Commission shall submit to the House of Representatives
 7 a report containing a detailed explanation and justification
 8 of each rule, regulation, and form of the Commission
 9 under this title. No such rule, regulation, or form may
 10 take effect until a period of 30 legislative days has elapsed
 11 after the report is received. As used in this subsection—

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

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

18 **SEC. 122. REGISTRATION AS ELIGIBLE HOUSE OF REP-**
 19 **RESENTATIVES CANDIDATE.**

20 (a) IN GENERAL.—Section 302(e) of the Federal
 21 Election Campaign Act of 1971 (2 U.S.C. 432(e)) is
 22 amended by adding at the end the following new para-
 23 graph:

24 “(6)(A) In the case of a candidate for the office of
 25 Representative in, or Delegate or Resident Commissioner

1 to, the Congress, who desires to be an eligible House of
2 Representatives candidate, a declaration of participation
3 of the candidate to abide by the limits specified in sections
4 601 and 315(i) and provide the information required
5 under section 604(b)(4) shall be included in the designa-
6 tion required to be filed under paragraph (1).

7 “(B)(i) In the case of a candidate referred to in sub-
8 paragraph (A), if the statement of candidacy does not in-
9 clude a declaration referred to in that paragraph, the can-
10 didate may amend the statement to include such declara-
11 tion, if such amendment is filed under subsection (g) not
12 later than 7 days after the earlier of—

13 “(I) the date the candidate qualifies for the
14 general election ballot under State law; or

15 “(II) if, under State law, a primary or runoff
16 election to qualify for the general election ballot oc-
17 curs after September 1, the date the candidate wins
18 the primary or runoff election.

19 “(ii) A declaration of participation that is included
20 in a statement of candidacy or has been added by amend-
21 ment under subparagraph (B) may not thereafter be re-
22 voked.”.

1 **SEC. 123. DEFINITIONS.**

2 Section 301 of the Federal Election Campaign Act
3 of 1971 (2 U.S.C. 431) is amended by striking paragraph
4 (19) and inserting the following new paragraphs:

5 “(19) The term ‘general election’ means any election
6 which will directly result in the election of a person to a
7 Federal office, but does not include an open primary elec-
8 tion.

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

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

15 “(B) the date on which the candidate withdraws
16 from the campaign or otherwise ceases actively to
17 seek election.

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

19 “(A) a candidate’s spouse;

20 “(B) a child, stepchild, parent, grandparent,
21 brother, step-brother, sister or step-sister of the can-
22 didate or the candidate’s spouse; and

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

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

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

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

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

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

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

1 “(26) The term ‘voting age population’ means the
2 resident population, 18 years of age or older, as certified
3 pursuant to section 315(e).

4 “(27) The term ‘eligible House of Representatives
5 candidate’ means a candidate for election to the office of
6 Representative in, or Delegate or Resident Commissioner
7 to, the Congress, who, as determined by the Commission
8 under section 603, is eligible to receive matching vouchers
9 and other benefits under title VI by reason of filing a dec-
10 laration of participation under section 302(e) and comply-
11 ing with the continuing eligibility requirements under sec-
12 tion 603.

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

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

20 “(B) for all other persons, the term beginning
21 on the first day following the date of the last general
22 election and ending on the date of the next general
23 election.”.

1 **TITLE II—LIMITATIONS ON PO-**
2 **LITICAL COMMITTEE AND**
3 **LARGE DONOR CONTRIBU-**
4 **TIONS THAT MAY BE ACCEPT-**
5 **ED BY HOUSE OF REP-**
6 **RESENTATIVES CANDIDATES**

7 **SEC. 201. LIMITATIONS ON POLITICAL COMMITTEE AND**
8 **LARGE DONOR CONTRIBUTIONS THAT MAY**
9 **BE ACCEPTED BY HOUSE OF REPRESENTA-**
10 **TIVES CANDIDATES.**

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

14 “(i)(1) A candidate for the office of Representative
15 in, or Delegate or Resident Commissioner to, the Congress
16 may not, with respect to an election cycle, accept contribu-
17 tions from political committees aggregating in excess of
18 \$90,000.

19 “(2) A candidate for the office of Representative in,
20 or Delegate or Resident Commissioner to, the Congress
21 may not, with respect to an election cycle, accept contribu-
22 tions aggregating in excess of \$120,000 from persons
23 other than political committees whose contributions total
24 more than \$250.

1 “(3) In addition to the contributions under para-
2 graphs (1) and (2), if an eligible House of Representatives
3 candidate in a contested primary election wins that pri-
4 mary election by a margin of 10 percentage points or less,
5 the candidate may accept contributions of not more than
6 \$180,000, \$27,000 from persons identified in paragraph
7 (1) and \$36,000 from persons identified in paragraph (2).

8 “(4) In addition to the contributions under para-
9 graphs (1) and (2), a House of Representatives candidate
10 who is a candidate in a runoff election may accept con-
11 tributions of not more than \$120,000, \$18,000 from per-
12 sons identified in paragraph (1) and \$24,000 from persons
13 identified in paragraph (2).

14 “(j) NONPARTICIPATING OPPONENT PROVISIONS.—
15 The limitations imposed by section 315(i) do not apply
16 in the case of an eligible House of Representatives can-
17 didate if any other candidate seeking nomination or elec-
18 tion to that office—

19 “(1) is not an eligible House of Representatives
20 general election candidate;

21 “(2) makes contributions or loans to his or her
22 own campaign totaling more than \$25,000 from his
23 or her own personal funds; and

24 “(3) makes expenditures in excess of 100 per-
25 cent of the limitations specified in section 601.

1 “(k) CIVIL PENALTIES.—

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

8 “(2) MEDIUM AMOUNT OF EXCESS CONTRIBU-
9 TIONS.—Any eligible House of Representatives can-
10 didate who accepts contributions that exceed the lim-
11 itations under this section by more than 2.5 percent
12 and less than 5 percent shall pay to the Commission
13 an amount equal to three times the amount of the
14 excess contributions.

15 “(3) LARGE AMOUNT OF EXCESS CONTRIBU-
16 TIONS.—Any eligible House of Representatives can-
17 didate who accepts contributions that exceed the lim-
18 itations under this section by 5 percent or more
19 shall pay to the Commission an amount equal to
20 three times the amount of the excess contributions
21 plus a civil penalty in an amount determined by the
22 Commission.

23 “(l) EXEMPTION FOR CERTAIN COSTS.—Any
24 amount—

1 “(1) accepted by a House of Representatives
2 candidate; and

3 “(2) used for costs incurred under section
4 601(e) and (f) shall not be considered in the com-
5 putation of amounts subject to limitation.

6 “(m) INDEXING.—The dollar amounts specified in
7 section 315(i) shall be adjusted at the beginning of the
8 calendar year based on the increase in the price index de-
9 termined under section 315(c), except that, for the pur-
10 poses of such adjustment, the base period shall be cal-
11 endar year 1995.

12 “(n) TRANSFER PROVISION.—The limitations im-
13 posed by section 315(i) apply without regard to amounts
14 transferred from previous election cycles or other author-
15 ized committees of the same candidate. Candidates shall
16 not be required to seek the redesignation of contributions
17 in order to transfer such contributions to a later election
18 cycle.”.

19 **TITLE III—INDEPENDENT** 20 **EXPENDITURES**

21 **SEC. 301. CLARIFICATION OF DEFINITIONS RELATING TO** 22 **INDEPENDENT EXPENDITURES.**

23 (a) INDEPENDENT EXPENDITURE DEFINITION
24 AMENDMENT.—Section 301 of the Federal Election Cam-

1 paign Act of 1971 (2 U.S.C. 431) is amended by striking
2 paragraphs (17) and (18) and inserting the following:

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

6 “(i) contains express advocacy; and

7 “(ii) is made without the participation or co-
8 operation of, or consultation with, a candidate or a
9 candidate’s representative.

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

12 “(i) An expenditure made by an authorized
13 committee of a candidate for Federal office or a po-
14 litical committee of a political party.

15 “(ii) An expenditure made on behalf of a can-
16 didate by a person who, during the election cycle,
17 has made a contribution to that candidate, where
18 the expenditure is in support of that candidate or in
19 opposition to another candidate for the same office.

20 “(iii) An expenditure made by a person, or a
21 political committee established, maintained or con-
22 trolled by such person, who is required to register,
23 under section 308 of the Federal Regulation of Lob-
24 bing Act (2 U.S.C. 267) or the Foreign Agents
25 Registration Act (22 U.S.C. 611) or any successor

1 Federal law requiring a person who is a lobbyist or
2 foreign agent to register.

3 “(iv) 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 “(v) An expenditure if, in the same election
12 cycle, the person making the expenditure is or has
13 been—

14 “(I) authorized to raise or expend funds on
15 behalf of the candidate or the candidate’s au-
16 thorized committees; or

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

20 “(18) The term ‘express advocacy’ means, when a
21 communication is taken as a whole and with limited ref-
22 erence to external events, an expression of support for or
23 opposition to a specific candidate, to a specific group of
24 candidates, or to candidates of a particular political party,
25 or a suggestion to take action with respect to an election,

1 such as to vote for or against, make contributions to, or
2 participate in campaign activity or refrain from taking ac-
3 tion.”.

4 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
5 tion 301(8)(A) of the Federal Election Campaign Act of
6 1971 (2 U.S.C. 431(8)(A)) is amended—

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

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

11 (3) by adding at the end the following new
12 clause:

13 “(iii) any payment or other transaction referred
14 to in paragraph (17)(A)(i) that does not qualify as
15 an independent expenditure under paragraph
16 (17)(A)(ii).”.

17 **SEC. 302. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
18 **PENDENT EXPENDITURES.**

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

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

23 (2) by redesignating paragraph (3) as para-
24 graph (8); and

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

3 “(3)(A) Any person (including a political committee)
4 making an independent expenditure (including those de-
5 scribed in subsection (b)(6)(B)(iii) of this section) aggreg-
6 ating \$1,000 or more made after the 20th day, but more
7 than 24 hours, before any election shall file a report within
8 24 hours after such independent expenditure is made.

9 “(B) Any person (including a political committee)
10 making an independent expenditure aggregating \$5,000 or
11 more made at any time up to and including the 20th day
12 before any election shall file a report within 48 hours after
13 such independent expenditure is made. An additional re-
14 port shall be filed each time independent expenditures ag-
15 gregating \$5,000 are made with respect to the same elec-
16 tion as the initial report filed under this section.

17 “(C) Such report shall be filed with the Commission
18 and the Secretary of State of the State involved and shall
19 contain the information required by subsection
20 (b)(6)(B)(iii) of this section, including whether the inde-
21 pendent expenditure is in support of, or in opposition to,
22 the candidate involved. Not later than 48 hours after the
23 Commission receives a report, the Commission shall trans-
24 mit a copy of the report to each candidate seeking nomina-
25 tion or election to that office.

1 “(D) For purposes of this section, the term ‘made’
2 includes any payment and any action taken to incur an
3 obligation for payment.

4 “(4)(A) If any person (including a political commit-
5 tee) intends to make independent expenditures aggregat-
6 ing \$5,000 or more during the 20 days before an election,
7 such person shall file a report no later than the 20th day
8 before the election.

9 “(B) Such report shall be filed with the Commission
10 and the Secretary of State of the State involved, and shall
11 identify each candidate whom the expenditure is actually
12 intended to support or to oppose. The Clerk of the House
13 of Representatives and the Secretary of the Senate shall
14 as soon as possible (but not later than 4 working hours
15 of the Commission) after receipt of a report transmit it
16 to the Commission. Not later than 48 hours after the
17 Commission receives a report under this paragraph, the
18 Commission shall transmit a copy of the statement to each
19 candidate identified.

20 “(5) The Commission may make its own determina-
21 tion that a person has made, or has incurred obligations
22 to make, independent expenditures with respect to any
23 Federal election which in the aggregate exceed the applica-
24 ble amounts under paragraph (3) or (4). The Commission

1 shall notify each candidate in such election of such deter-
2 mination within 24 hours of making it.

3 “(6) At the same time as an eligible candidate who
4 has qualified under section 604(b) is notified under para-
5 graph (3), (4), or (5) with respect to expenditures during
6 a general election period, the Commission shall certify eli-
7 gibility to receive benefits under section 604(b).”.

8 **SEC. 303. BROADCAST AND CABLE INDEPENDENT EXPENDI-**
9 **TURE COMMUNICATIONS AGAINST ELIGIBLE**
10 **HOUSE OF REPRESENTATIVES CANDIDATES.**

11 Section 315 of the Communications Act of 1934 (47
12 U.S.C. 315) is amended—

13 (1) by redesignating subsections (c) and (d) as
14 subsections (e) and (f), respectively; and

15 (2) by inserting immediately before subsection
16 (e) as redesignated the following new subsection:

17 “(d) If any person makes an independent expenditure
18 through a communication on a broadcasting station or a
19 cable system (as defined in section 602 of this Act) that
20 expressly advocates the defeat of an eligible House of Rep-
21 resentatives candidate, or the election of the opponent of
22 an eligible House of Representatives candidate (regardless
23 of whether such opponent is an eligible candidate), the li-
24 censee or cable operator, as applicable, shall, not later
25 than one week after the communication (or not later than

1 24 hours after the communication, if the communication
 2 occurs not more than one week before the election) trans-
 3 mit to such candidate—

4 “(1) a statement of the date and time of the
 5 communication;

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

10 “(3) an offer of an equal opportunity for such
 11 candidate to use the broadcasting station or cable
 12 system to respond to the communication at a charge
 13 determined in accordance with subsection (b).”.

14 **SEC. 304. ADDITIONAL EXPENDITURES BY ELIGIBLE HOUSE**
 15 **OF REPRESENTATIVES CANDIDATE FACED**
 16 **WITH LARGE AMOUNT OF INDEPENDENT EX-**
 17 **PENDITURES.**

18 Section 315 of the Federal Election Campaign Act
 19 of 1971 (2 U.S.C. 441a), as amended by section 201, is
 20 further amended by adding at the end the following new
 21 subsection:

22 “(o) **ELIGIBLE HOUSE OF REPRESENTATIVES CAN-**
 23 **DIDATE INDEPENDENT EXPENDITURE PROVISION.**—If,
 24 with respect to an election involving an eligible House of
 25 Representatives candidate, independent expenditures to-

1 taling \$25,000 are made against the eligible House of
2 Representatives candidate or in favor of another can-
3 didate, the eligible House of Representatives candidate
4 shall be entitled, in addition to any amount permitted
5 under this Act, to make expenditures in an amount equal
6 to the amount of such independent expenditures.

7 **TITLE IV—CONTRIBUTIONS AND**
8 **EXPENDITURES BY POLITI-**
9 **CAL PARTY COMMITTEES**

10 **SEC. 401. SOFT MONEY OF POLITICAL PARTIES.**

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

14 “SOFT MONEY OF POLITICAL PARTIES

15 “SEC. 323. (a) A national committee of a political
16 party, including the national congressional campaign com-
17 mittees of a political party, and any officers or agents of
18 such party committees, shall not solicit or receive any con-
19 tributions, donations, or transfers of funds, or spend any
20 funds, not subject to the limitations, prohibitions, and re-
21 porting requirements of this Act. This subsection shall
22 apply to any entity that is established, financed, main-
23 tained, or controlled by a national committee of a political
24 party, including the national congressional campaign com-
25 mittees of a political party, and any officers or agents of
26 such party committees.

1 “(b)(1) Any amount expended or disbursed by a
2 State, district, or local committee of a political party, dur-
3 ing a calendar year in which a Federal election is held,
4 for any activity which might affect the outcome of a Fed-
5 eral election, including but not limited to any voter reg-
6 istration and get-out-the-vote activity, any generic cam-
7 paign activity, and any communication that identifies a
8 Federal candidate (regardless of whether a State or local
9 candidate is also mentioned or identified) shall be made
10 from funds subject to the limitations, prohibitions and re-
11 porting requirements of this Act.

12 “(2) Paragraph (1) shall not apply to expenditures
13 or disbursements made by a State, district or local com-
14 mittee of a political party for—

15 “(A) a contribution to a candidate other than
16 for Federal office, provided that such contribution is
17 not designated or otherwise earmarked to pay for ac-
18 tivities described in paragraph (1);

19 “(B) the costs of a State or district/local politi-
20 cal convention;

21 “(C) the non-Federal share of a State, district
22 or local party committee’s administrative and over-
23 head expenses (but not including the compensation
24 in any month of any individual who spends more
25 than 20 percent of his or her time on activity during

1 such month which may affect the outcome of a Fed-
2 eral election). For purposes of this provision, the
3 non-Federal share of a party committee’s adminis-
4 trative and overhead expenses shall be determined
5 by applying the ratio of the non-Federal disburse-
6 ments to the total Federal expenditures and non-
7 Federal disbursements made by the committee dur-
8 ing the previous presidential election year to the
9 committee’s administrative and overhead expenses in
10 the election year in question;

11 “(D) the costs of grassroots campaign mate-
12 rials, including buttons, bumper stickers, and yard
13 signs, which materials solely name or depict a State
14 or local candidate; or

15 “(E) the cost of any campaign activity con-
16 ducted solely on behalf of a clearly identified State
17 or local candidate, provided that such activity is not
18 a get out the vote activity or any other activity cov-
19 ered by paragraph (1).

20 “(3) Any amount spent by a national, State, district
21 or local committee or entity of a political party to raise
22 funds that are used, in whole or in part, to pay the costs
23 of any activity covered by paragraph (1) shall be made
24 from funds subject to the limitations, prohibitions, and re-
25 porting requirements of this Act. This paragraph shall

1 apply to any entity that is established, financed, main-
2 tained, or controlled by a State, district or local committee
3 of a political party or any agent or officer of such party
4 committee in the same manner as it applies to that com-
5 mittee.

6 “(c) No national, State, district or local committee
7 of a political party shall solicit any funds for or make any
8 donations to any organization that is exempt from Federal
9 taxation under section 501(c) of the Internal Revenue
10 Code of 1986.

11 “(d)(1) No candidate for Federal office, individual
12 holding Federal office, or any agent of such candidate or
13 officeholder, may solicit or receive (A) any funds in con-
14 nection with any Federal election unless such funds are
15 subject to the limitations, prohibitions and reporting re-
16 quirements of this Act; (B) any funds that are to be ex-
17 pended in connection with any election for other than a
18 Federal office unless such funds are not in excess of the
19 amounts permitted with respect to contributions to Fed-
20 eral candidates and political committees under section
21 315(a) (1) and (2), and are not from sources prohibited
22 from making contributions by this Act with respect to elec-
23 tion for Federal office. This paragraph shall not apply to
24 the solicitation or receipt of funds by an individual who
25 is a candidate for a non-Federal office if such activity is

1 permitted under State law for such individual’s non-Fed-
2 eral campaign committee.

3 “(2)(A) No candidate for Federal office or individual
4 holding Federal office may directly or indirectly establish,
5 maintain, finance or control any organization described in
6 section 501(c) of the Internal Revenue Code of 1986 if
7 such organization raises funds from the public.

8 “(B) No national committee of a political party may
9 directly or indirectly establish, maintain, finance, or con-
10 trol any organization described in section 501(c) of the
11 Internal Revenue Code of 1986 if such organization raises
12 funds from the public.

13 “(C) No candidate for Federal office or individual
14 holding Federal office may raise funds for any organiza-
15 tion described in section 501(c) of the Internal Revenue
16 Code of 1986 if the activities of the organization include
17 voter registration or get-out-the-vote campaigns.

18 “(D) For purposes of this paragraph, an individual
19 shall be treated as holding Federal office if such individ-
20 ual—

21 “(i) holds a Federal office; or

22 “(ii) holds a position described in level I of the
23 Executive Schedule under 5312 of title 5, United
24 States Code.”.

1 **SEC. 402. REPORTING REQUIREMENTS.**

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

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

12 “(2) A political committee (not described in para-
13 graph (1)) to which section 323 applies shall report all
14 receipts and disbursements.

15 “(3) Any political committee to which section 323 ap-
16 plies shall include in its report under paragraph (1) or
17 (2) the amount of any transfer described in section
18 323(d)(2) and shall itemize such amounts to the extent
19 required by section 304(b)(3)(A).

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

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

1 political committee shall separately itemize its reporting
2 for such person in the same manner as subsection (b)
3 (3)(A), (5), or (6).

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

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

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

17 (c) OTHER REPORTING REQUIREMENTS.—

18 (1) AUTHORIZED COMMITTEES.—Section
19 304(b)(4) of the Federal Election Campaign Act of
20 1971 (2 U.S.C. 434(b)(4)) is amended—

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

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

1 (C) by adding at the end the following new
2 subparagraph:

3 “(J) in the case of an authorized commit-
4 tee, disbursements for the primary election, the
5 general election, and any other election in which
6 the candidate participates;”.

7 (2) NAMES AND ADDRESSES.—Section
8 304(b)(5)(A) of the Federal Election Campaign Act
9 of 1971 (2 U.S.C. 434(b)(5)(A)) is amended—

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

11 and

12 (B) by inserting “, and the election to
13 which the operating expenditure relates” after
14 “operating expenditure”.

15 **SEC. 403. SOFT MONEY OF PERSONS OTHER THAN POLITI-**
16 **CAL PARTIES.**

17 Section 304 of the Federal Election Campaign Act
18 of 1971 (2 U.S.C. 434), as amended by section 402, is
19 further amended by adding at the end the following new
20 subsection:

21 “(f) ELECTION ACTIVITY OF PERSONS OTHER THAN
22 POLITICAL PARTIES.—(1)(A)(i) If any person to which
23 section 323 does not apply makes (or obligates to make)
24 disbursements for activities described in section 325(b)(1)
25 in excess of \$2,000, such person shall file a statement—

1 “(I) within 48 hours after the disbursements
2 (or obligations) are made; or

3 “(II) in the case of disbursements (or obliga-
4 tions) that are required to be made within 20 days
5 of the election, within 24 hours after such disburse-
6 ment (or obligations) are made.

7 “(ii) An additional statement shall be filed each time
8 additional disbursements aggregating \$2,000 are made (or
9 obligated to be made) by a person described in clause (i).

10 “(B) This paragraph shall not apply to—

11 “(i) a candidate or a candidate’s authorized
12 committees; or

13 “(ii) an independent expenditure (as defined in
14 section 301(17)).

15 “(2) Any statement under this section shall be filed
16 with the Commission and shall contain such information
17 as the Commission shall prescribe, including whether the
18 disbursement is in support of, or in opposition to, 1 or
19 more candidates or any political party.”.

20 **SEC. 404. REPORTING REQUIREMENTS.**

21 (a) **REPORTING REQUIREMENTS.**—Section 304 of
22 Federal Election Campaign Act of 1971 (2 U.S.C. 434),
23 as amended by sections 402 and 403, is further amended
24 by adding at the end the following new subsection:

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

7 “(2) Any political committee to which section 323 ap-
8 plies shall include in its report under paragraph (1) the
9 amount of any transfer described in section 323(d)(2) and
10 shall itemize such amounts to the extent required by sec-
11 tion 304(b)(3)(A).

12 “(3) Any political committee to which paragraph (1)
13 does not apply shall report any receipts or disbursements
14 which are used in connection with a Federal election.

15 “(4) If a political committee has receipts or disburse-
16 ments to which this subsection applies from any person
17 aggregating in excess of \$200 for any calendar year, the
18 political committee shall separately itemize its reporting
19 for such person in the same manner as subsection (b)
20 (3)(A), (5), or (6).

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

24 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
25 301(8) of the Federal Election Campaign Act of 1971 (2

1 U.S.C. 431(8)) is amended by adding at the end the fol-
2 lowing:

3 “(C) The exclusion provided in clause (viii) of sub-
4 paragraph (B) shall not apply for purposes of any require-
5 ment to report contributions under this Act, and all such
6 contributions aggregating in excess of \$200 shall be re-
7 ported.”.

8 (c) OTHER REPORTING REQUIREMENTS.—

9 (1) AUTHORIZED COMMITTEES.—Paragraph (4)
10 of section 304(b) of Federal Election Campaign Act
11 of 1971 (2 U.S.C. 434(b)(4)) is amended by striking
12 “and” at the end of subparagraph (H), by inserting
13 “and” at the end of subparagraph (I), and by add-
14 ing at the end the following new subparagraph:

15 “(J) in the case of an authorized commit-
16 tee, disbursements for the primary election, the
17 general election, and any other election in which
18 the candidate participates;”.

19 (2) NAMES AND ADDRESSES.—Subparagraph
20 (A) of section 304(b)(5) of Federal Election Cam-
21 paign Act of 1971 (2 U.S.C. 434(b)(5)(A)) is
22 amended—

23 (A) by striking “within the calendar year”,
24 and

1 (B) by inserting “, and the election to
2 which the operating expenditure relates” after
3 “operating expenditure”.

4 **SEC. 405. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
5 **AND OFFICEHOLDERS.**

6 Section 315 of Federal Election Campaign Act of
7 1971 (2 U.S.C. 441a), as amended by sections 201 and
8 304, is further amended by adding at the end the following
9 new subsection:

10 “(p) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
11 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
12 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
13 Act, a candidate for Federal office, an individual holding
14 Federal office, or any agent of the candidate or individual
15 may not solicit funds to, or receive funds on behalf of,
16 any Federal candidate or political committee, or any party
17 or other multicandidate committee organized under State
18 law to support more than one candidate for non-Federal
19 office—

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

24 “(B) which are to be expended in connection
25 with any election for other than Federal office unless

1 such funds are not in excess of amounts permitted
2 with respect to Federal candidates and political com-
3 mittees under subsections (a) (1) and (2), and are
4 not from sources prohibited by such subsections with
5 respect to elections to Federal office.

6 The limitations of this subsection do not apply to the solici-
7 tation or receipt of funds by a Federal candidate on be-
8 half of any committee or organization organized primarily
9 for purposes other than the election of particular can-
10 didates for public office.

11 “(2)(A) The aggregate amount which a person de-
12 scribed in subparagraph (B) may solicit from a
13 multicandidate political committee for State committees
14 described in subsection (a)(1)(C) (including subordinate
15 committees) for any calendar year shall not exceed the dol-
16 lar amount in effect under subsection (a)(2)(B) for the
17 calendar year.

18 “(B) A person is described in this subparagraph if
19 such person is a candidate for Federal office, an individual
20 holding Federal office, an agent of such a candidate or
21 individual, or any national, State, district, or local commit-
22 tee of a political party (including a subordinate committee)
23 and any agent of such a committee.

24 “(3) The personal appearance or participation by a
25 candidate for Federal office or individual holding Federal

1 office in any fundraising event conducted by a committee
2 of a political party or a candidate for other than Federal
3 office shall not be treated as a solicitation for purposes
4 of paragraph (1) if such candidate or individual does not
5 receive, or make disbursements from, any funds resulting
6 from such activity.

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

11 “(5) For purposes of this subsection, an individual
12 shall be treated as holding Federal office if such individ-
13 ual—

14 “(A) holds a Federal office; or

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

18 **SEC. 406. INCREASED LIMITATION AMOUNT FOR CERTAIN**
19 **CONTRIBUTIONS TO POLITICAL COMMITTEES**
20 **OF STATE POLITICAL PARTIES.**

21 Section 315(a)(1)(B) of the Federal Election Cam-
22 paign Act of 1971 (2 U.S.C. 441a(a)(1)(B)) is amended—

23 (1) by inserting after “(B)” the following: “not-
24 withstanding any other provision of law,”; and

1 (2) by inserting after “national” the following:
2 “or State”.

3 **SEC. 407. BUILDING FUND EXCEPTION TO THE DEFINITION**
4 **OF THE TERM “CONTRIBUTION”.**

5 Section 301(8)(B) of the Federal Election Campaign
6 Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

7 (1) by striking out clause (viii); and

8 (2) by redesignating clauses (ix) through (xiv)
9 as clauses (viii) through (xiii), respectively.

10 **TITLE V—CONTRIBUTIONS**

11 **SEC. 501. RESTRICTIONS ON BUNDLING.**

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

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

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

19 “(I) joint fundraising conducted in accordance
20 with rules prescribed by the Commission by 2 or
21 more candidates; or

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

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

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

8 “(i) a House of Representatives candidate or
9 representative of a House of Representatives can-
10 didate is not a conduit or intermediary for the pur-
11 pose of transmitting contributions to the candidate’s
12 principal campaign committee or authorized commit-
13 tee;

14 “(ii) a professional fundraiser is not a conduit
15 or intermediary, if the fundraiser is compensated for
16 fundraising services at the usual and customary
17 rate;

18 “(iii) a volunteer hosting a fundraising event at
19 the volunteer’s home, in accordance with section
20 301(8)(b), is not a conduit or intermediary for the
21 purposes of that event; and

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

1 For purposes of this section a conduit or intermediary
2 transmits a contribution when receiving or otherwise tak-
3 ing possession of the contribution and forwarding it di-
4 rectly to the candidate or the candidate’s committee or
5 representative.

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

8 “(i) shall mean a person who is expressly au-
9 thorized by the candidate to engage in fundraising,
10 and who, in the case of an individual, is not acting
11 as an officer, employee, or agent of any other per-
12 son;

13 “(ii) shall not include—

14 “(I) a political committee with a connected
15 organization;

16 “(II) a political party;

17 “(III) a partnership or sole proprietorship;

18 “(IV) an organization prohibited from
19 making contributions under section 316; or

20 “(V) a person required to register under
21 section 308 of the Federal Regulation of Lobby-
22 ing Act (2 U.S.C. 267) or the Foreign Agents
23 Registration Act (22 U.S.C. 611) or any suc-
24 cessor Federal law requiring a person who is a
25 lobbyist or a foreign agent to register.

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

6 “(i) Soliciting contributions to a particular can-
7 didate in the name of, or by using the name of, such
8 a person.

9 “(ii) Soliciting contributions to a particular
10 candidate using other than the incidental resources
11 of such a person.

12 “(iii) Soliciting contributions to a particular
13 candidate under the direction or control of other sal-
14 aried officers, employees, or paid agents of such a
15 person.

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

21 **SEC. 502. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
22 **ING AGE.**

23 Section 315 of the Federal Election Campaign Act
24 of 1971 (2 U.S.C. 441a), as amended by sections 201,

1 304, 405, and 406, is further amended by adding at the
2 end the following new subsection:

3 “(r) For purposes of this section, any contribution
4 by an individual who—

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

6 “(2) has not, as of the time of such contribu-
7 tion, attained the legal age for voting for elections
8 to Federal office in the State in which such individ-
9 ual resides,

10 shall be treated as having been made by such other indi-
11 vidual. If such individual is the dependent of another indi-
12 vidual and such other individual’s spouse, the contribution
13 shall be allocated among such individuals in the manner
14 determined by them.”.

15 **SEC. 503. PROHIBITION OF ACCEPTANCE BY A CANDIDATE**
16 **OF CASH CONTRIBUTIONS FROM ANY ONE**
17 **PERSON AGGREGATING MORE THAN \$100.**

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

1 **SEC. 504. CONTRIBUTIONS TO CANDIDATES FROM STATE**
2 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
3 **TIES TO BE AGGREGATED.**

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

7 “(9) Notwithstanding paragraph (5)(B), a candidate
8 for Federal office may not accept, with respect to an elec-
9 tion, any contribution from a State or local committee of
10 a political party (including any subordinate committee of
11 such committee), if such contribution, when added to the
12 total of contributions previously accepted from all such
13 committees of that political party, exceeds the limitation
14 on contributions to a candidate under paragraph (2)(A).”.

15 **SEC. 505. PROHIBITION OF FALSE REPRESENTATION TO**
16 **SOLICIT CONTRIBUTIONS.**

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

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

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

22 “(b) No person shall solicit contributions by falsely
23 representing himself as a candidate or as a representative
24 of a candidate, a political committee, or a political party.”.

1 **SEC. 506. LIMITED EXCLUSION OF ADVANCES BY CAM-**
2 **PAIGN WORKERS FROM THE DEFINITION OF**
3 **THE TERM “CONTRIBUTION”.**

4 Section 301(8)(B) of the Federal Election Campaign
5 Act of 1971 (2 U.S.C. 431(8)(B)), as amended by section
6 403, is further amended—

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

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

11 (3) by adding at the end the following new
12 clause:

13 “(xxi) any advance voluntarily made on behalf
14 of an authorized committee of a candidate by an in-
15 dividual in the normal course of such individual’s re-
16 sponsibilities as a volunteer for, or employee of, the
17 committee, if the advance is reimbursed by the com-
18 mittee within 10 days after the date on which the
19 advance is made, and the value of advances on be-
20 half of a committee does not exceed \$500 with re-
21 spect to an election.”.

22 **SEC. 507. AMENDMENT TO SECTION 316 OF THE FEDERAL**
23 **ELECTION CAMPAIGN ACT OF 1971.**

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

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

3 (2) by redesignating subparagraphs (A), (B),
4 and (C) as clauses (i), (ii), and (iii), respectively;
5 and

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

7 “(B) Payments by a corporation or labor organization
8 for candidate appearances, candidate debates, voter
9 guides, or voting records directed to the general public
10 shall be considered contributions unless—

11 “(i) in the case of a candidate appearance, the
12 appearance takes place on corporate or labor organi-
13 zation premises or at a meeting or convention of the
14 corporation or labor organization, and all candidates
15 for election to that office are notified that they may
16 make an appearance under the same or similar con-
17 ditions;

18 “(ii) in the case of a candidate debate, the or-
19 ganization staging the debate is either an organiza-
20 tion described in section 301 whose broadcasts or
21 publications are supported by commercial advertis-
22 ing, subscriptions or sales to the public, including a
23 noncommercial educational broadcaster, or a non-
24 profit organization exempt from Federal taxation
25 under section 501(c)(3) or 501(c)(4) of the Internal

1 Revenue Code of 1986 that does not endorse, sup-
2 port, oppose candidates or political parties and any
3 such debate features at least 2 candidates competing
4 for election to that office;

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

9 “(iv) in the case of a voting record, the record
10 is prepared and distributed by a corporation or labor
11 organization and such preparation and distribution
12 occurs either without consultation with any can-
13 didate whose record is included or in consultation
14 with all such candidates;

15 for purposes of subsection (i)(4) such payments shall be
16 treated as contributions if any communication made by a
17 corporation or labor organization in connection with the
18 candidate appearance, candidate debate, voter guide, or
19 voting record contains express advocacy, or that no struc-
20 ture or format of the candidate appearance, candidate de-
21 bate, voter guide, or voting record, nor any preparation
22 or distribution of any such guide or record, reflects a pur-
23 pose of influencing the election of a particular candidate.”.

1 **SEC. 508. PROHIBITION OF CERTAIN ELECTION-RELATED**
2 **ACTIVITIES OF FOREIGN NATIONALS.**

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

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

12 “(d) A separate segregated fund established in ac-
13 cordance with section 316(b)(2)(C) involved in the making
14 of contributions or expenditures in connection with elec-
15 tions for any Federal, State, or local office shall include
16 the following statement on all printed materials produced
17 for the purpose of soliciting contributions:

18 “‘It is unlawful for a foreign national to make
19 any contribution of money or other thing of value to
20 a political committee.’”.

TITLE VI—REPORTING REQUIREMENTS

SEC. 601. CHANGE IN CERTAIN REPORTING FROM A CAL- ENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.

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

SEC. 602. PERSONAL AND CONSULTING SERVICES.

(a) **REPORTING BY POLITICAL COMMITTEES.**—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)), as amended by section 405, is further amended by inserting before the semicolon at the end the following: “, except that if a person to whom an expenditure is made is merely providing personal or consulting services and is in turn making expenditures to other persons (not including employees) who provide goods or services to the candidate or his or her authorized committees, the name and address of such other person, together with the date, amount and purpose of such expenditure shall also be disclosed”.

1 (b) RECORDKEEPING AND REPORTING BY PERSONS
2 TO WHOM EXPENDITURES ARE PASSED THROUGH.—Sec-
3 tion 302 of Federal Election Campaign Act of 1971 (2
4 U.S.C. 432) is amended by adding at the end the following
5 new subsection:

6 “(j) The person described in section 304(b)(5)(A)
7 who is providing personal or consulting services and who
8 is in turn making expenditures to other persons (not in-
9 cluding employees) for goods or services provided to a can-
10 didate shall maintain records of and shall provide to a po-
11 litical committee the information necessary to enable the
12 political committee to report the information described in
13 section 304(b)(5)(A).”.

14 **SEC. 603. REDUCTION IN THRESHOLD FOR REPORTING OF**
15 **CERTAIN INFORMATION BY PERSONS OTHER**
16 **THAN POLITICAL COMMITTEES.**

17 Section 304(b)(3)(A) of the Federal Election Cam-
18 paign Act of 1971 (2 U.S.C. 434(b)(3)(A)) is amended
19 by striking “\$200” and inserting “\$100”.

20 **SEC. 604. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

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

23 (1) by striking “and” at the end of paragraph
24 (9);

1 (2) by striking the period at the end of para-
2 graph (10) and inserting “; and”; and

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

5 “(11) maintain computerized indices of con-
6 tributions of \$200 or more.”.

7 **SEC. 605. IDENTIFICATION.**

8 Section 301(13)(A) of the Federal Election Cam-
9 paign Act of 1971 (2 U.S.C. 431(13)(A)) is amended by
10 striking “mailing address” and inserting “permanent resi-
11 dence address”.

12 **SEC. 606. POLITICAL COMMITTEES.**

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

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

18 (2) by striking the “name and address of the
19 treasurer” in paragraph (4) and inserting “the
20 names and addresses of the officers, including the
21 treasurer”.

22 **SEC. 607. USE OF CANDIDATES’ NAMES.**

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

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

4 “(B) A political committee that is not an authorized
5 committee shall not—

6 “(i) include the name of any candidate in its
7 name, or

8 “(ii) except in the case of a national, State, or
9 local party committee, use the name of any can-
10 didate in any activity on behalf of such committee
11 in such a context as to suggest that the committee
12 is an authorized committee of the candidate or that
13 the use of the candidate’s name has been authorized
14 by the candidate.”.

15 **SEC. 608. REPORTING REQUIREMENTS.**

16 Section 304 of the Federal Election Campaign Act
17 of 1971 (2 U.S.C. 434), as amended by sections 402, 403,
18 and 404, is further amended by adding at the end the
19 following new subsection:

20 “(h) WAIVER.—The Commission may relieve any cat-
21 egory of political committees of the obligation to file 1 or
22 more reports required by this section, or may change the
23 due dates of such reports, if it determines that such action
24 is consistent with the purposes of this Act. The Commis-
25 sion may waive requirements to file reports in accordance

1 with this subsection through a rule of general applicability
2 or, in a specific case, may waive or change the due date
3 of a report by notifying all political committees affected.”.

4 **SEC. 609. SIMULTANEOUS REGISTRATION OF CANDIDATE**
5 **AND CANDIDATE’S PRINCIPAL CAMPAIGN**
6 **COMMITTEE.**

7 Section 303(a) of Federal Election Campaign Act of
8 1971 (2 U.S.C. 433(a)) is amended in the first sentence
9 by striking “no later than 10 days after designation” and
10 inserting “on the date of its designation”.

11 **SEC. 610. DISCLOSURES BY ORGANIZATIONS THAT ENGAGE**
12 **IN LOBBYING.**

13 (a) DISCLOSURES REQUIRED.—Title III of the Fed-
14 eral Election Campaign Act of 1971 (2 U.S.C. 431 et
15 seq.), as amended by section 403, is further amended by
16 adding after section 323 the following new section:

17 **“SEC. 324. DISCLOSURES BY ORGANIZATIONS THAT EN-**
18 **GAGE IN LOBBYING.**

19 “(a) IN GENERAL.—Any organization that—

20 “(1) is described in paragraph (4) or (6) of sec-
21 tion 501(c) of the Internal Revenue Code of 1986
22 and is exempt from tax under section 501(a) of such
23 Code, and

1 “(2) conducts lobbying activities or pays an-
2 other person compensation to conduct lobbying ac-
3 tivities on its behalf,
4 shall provide the same information with respect to con-
5 tributions made to such organization, in the same manner
6 and to the same extent as is required for political commit-
7 tees under this Act.

8 “(b) DEFINITION.— As used in this section—

9 “(1) the term ‘lobbying activities’ means lobby-
10 ing contacts and efforts in support of such contacts,
11 including—

12 “(A) preparation and planning activities;

13 “(B) research and other background work
14 that is intended for use in lobbying contacts;

15 “(C) coordination with the lobbying activi-
16 ties of others; and

17 “(D) grass roots lobbying communications
18 (as defined in regulations implementing section
19 4911(c)(3) of the Internal Revenue Code of
20 1986) to the extent that such communications
21 are made in direct support of lobbying contacts;

22 “(2) the term ‘lobbying contact’—

23 “(A) means any oral or written commu-
24 nication with a Member of Congress, an officer
25 or employee of the House of Representatives or

1 the Senate, or an officer or employee of the ex-
2 ecutive branch that is made with regard to—

3 “(i) the formulation, modification, or
4 adoption of Federal legislation (including
5 legislative proposals); or

6 “(ii) the formulation, modification, or
7 adoption of a Federal rule, regulation, Ex-
8 ecutive order, or any other program, policy,
9 or position of the United States Govern-
10 ment; and

11 “(B) does not include any communication
12 that—

13 “(i) is made by public officials acting
14 in their official capacity;

15 “(ii) is made by representatives of a
16 media organization if the purpose of the
17 communication is gathering and dissemi-
18 nating news and information to the public;
19 or

20 “(iii) consists of testimony given be-
21 fore a committee or subcommittee of the
22 Congress, or submitted for inclusion in the
23 public record of a hearing conducted by
24 any such committee or subcommittee or by
25 a Federal agency; and

1 “(3) the term ‘Member of Congress’ means a
2 Senator or a Representative in, or Delegate or Resi-
3 dent Commissioner to, the Congress.”.

4 (b) DEFINITION.—Section 301(8)(A) of Federal
5 Election Campaign Act of 1971 (2 U.S.C. 431(8)(A)), as
6 amended by section 301, is further amended—

7 (1) in clause (ii) by striking “or” after the
8 semicolon;

9 (2) in clause (iii) by striking the period and in-
10 serting “; or”; and

11 (3) by adding at the end the following new
12 clause:

13 “(iv) any gift, subscription, loan, advance, or
14 deposit of money or anything of value made by any
15 person to an organization to which section 323 ap-
16 plies.”.

17 **TITLE VII—FEDERAL ELECTION** 18 **COMMISSION**

19 **SEC. 701. APPEARANCE AS AMICI CURIAE.**

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

24 “(4)(A) Notwithstanding the provisions of paragraph
25 (2), or of any other provision of law, the Commission is

1 authorized to appear on its own behalf in any action relat-
2 ed to the exercise of its statutory duties or powers in any
3 court as either a party or as amicus curiae, either—

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

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

16 “(B) The authority granted under subparagraph (A)
17 includes the power to appeal from, and petition the Su-
18 preme Court for certiorari to review, judgments or decrees
19 entered with respect to actions in which the Commission
20 appears pursuant to the authority provided in this sec-
21 tion.”.

22 **SEC. 702. FEDERAL ELECTION COMMISSION PUBLIC SERV-**
23 **ICE ANNOUNCEMENTS.**

24 Title III of Federal Election Campaign Act of 1971
25 (2 U.S.C. 431 et seq.), as amended by sections 403 and

1 610, is further amended by inserting after section 324 the
2 following new section:

3 **“SEC. 325. PUBLIC SERVICE ANNOUNCEMENTS.**

4 “(a) IN GENERAL.—Beginning on January 15, and
5 continuing through April 15 of each year, the Federal
6 Election Commission shall carry out a program, utilizing
7 broadcast announcements and other appropriate means, to
8 inform the public of the existence and purpose of the Citi-
9 zen Representative Fund and the role that individual citi-
10 zens can play in the election process by voluntarily contrib-
11 uting to the Fund. The Commission shall seek to broad-
12 cast such announcements during prime time viewing hours
13 in 30-second advertising segments equivalent to 200 gross
14 rating points per network per week. The Commission shall
15 attempt to ensure that the maximum number of taxpayers
16 shall be exposed to these announcements. The Federal
17 Election Commission shall attempt to utilize a variety of
18 communications media, including television, cable, and
19 radio networks, and individual television, cable, and radio
20 stations, to provide similar announcements.

21 “(b) GROSS RATING POINT.—The term ‘gross rating
22 point’ is a measure of the total gross weight delivered. It
23 is the sum of the ratings for individual programs. Since
24 a household rating period is 1 percent of the coverage

1 base, 200 gross rating points means 2 messages a week
2 per average household.”.

3 **SEC. 703. AUTHORITY TO SEEK INJUNCTION.**

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

6 (1) by adding at the end the following new
7 paragraph:

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

11 “(i) there is a substantial likelihood that a vio-
12 lation of this Act or of chapter 95 or chapter 96 of
13 the Internal Revenue Code of 1986 is occurring or
14 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) expeditious action will not cause undue
19 harm or prejudice to the interests of others; and

20 “(iv) the public interest would be best served by
21 the issuance of an injunction,

22 the Commission may initiate a civil action for a temporary
23 restraining order or a temporary injunction pending the
24 outcome of the proceedings described in paragraphs (1),
25 (2), (3), and (4).

1 “(B) An action under subparagraph (A) shall be
2 brought in the United States district court for the district
3 in which the defendant resides, transacts business, or may
4 be found or in which the violation is occurring, has oc-
5 curred, or is about to occur.”;

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

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

10 **SEC. 704. EXPEDITED PROCEDURES.**

11 Section 309(a) of the Federal Election Campaign Act
12 of 1971 (2 U.S.C. 437g(a)), as amended by section 703,
13 is further amended by adding at the end the following new
14 paragraph:

15 “(14)(A) If the complaint in a proceeding was filed
16 within 60 days immediately preceding a general election,
17 the Commission may take action described in this sub-
18 paragraph.

19 “(B) If the Commission determines, on the basis of
20 facts alleged in the complaint and other facts available to
21 it, that there is clear and convincing evidence that a viola-
22 tion of this Act or of chapter 95 or 96 of the Internal
23 Revenue Code of 1986 has occurred, is occurring, or is
24 about to occur and it appears that the requirements for

1 relief stated in paragraph (13)(A) (ii), (iii), and (iv) are
2 met, the Commission may—

3 “(i) order expedited proceedings, shortening the
4 time periods for proceedings under paragraphs (1),
5 (2), (3), and (4) as necessary to allow the matter to
6 be resolved in sufficient time before the election to
7 avoid harm or prejudice to the interests of the par-
8 ties; or

9 “(ii) if the Commission determines that there is
10 insufficient time to conduct proceedings before the
11 election, immediately seek relief under paragraph
12 (13)(A).

13 “(C) If the Commission determines, on the basis of
14 facts alleged in the complaint and other facts available to
15 it, that the complaint is clearly without merit, the Com-
16 mission may—

17 “(i) order expedited proceedings, shortening the
18 time periods for proceedings under paragraphs (1),
19 (2), (3), and (4) as necessary to allow the matter to
20 be resolved in sufficient time before the election to
21 avoid harm or prejudice to the interests of the par-
22 ties; or

23 “(ii) if the Commission determines that there is
24 insufficient time to conduct proceedings before the
25 election, summarily dismiss the complaint.”.

1 **SEC. 705. INSOLVENT POLITICAL COMMITTEES.**

2 (a) IN GENERAL.—Section 303(d) of the Federal
3 Election Campaign Act of 1971 (2 U.S.C. 433(d)) is
4 amended by adding at the end the following new para-
5 graph:

6 “(3) Proceedings by the Commission under para-
7 graph (2) constitute the sole means, to the exclusion of
8 proceedings under title 11, United States Code, by which
9 a political committee that is determined by the Commis-
10 sion to be insolvent may compromise its debts, liquidate
11 its assets, and terminate its existence.”.

12 (b) PROCEDURES.—Section 303(d)(2) of the Federal
13 Election Campaign Act of 1971 (2 U.S.C. 433(d)(2)) is
14 amended by striking out “Nothing” and all that follows
15 through “procedures” and inserting in lieu thereof “The
16 Commission shall establish procedures to allow”.

17 **TITLE VIII—MISCELLANEOUS**

18 **SEC. 801. BROADCAST RATES AND PREEMPTION.**

19 Section 315 of the Communications Act of 1934 (47
20 U.S.C. 315) is amended—

21 (1) in subsection (b)(1)—

22 (A) by striking “forty-five” and inserting
23 “30”;

24 (B) by striking “sixty” and inserting “45”;

25 and

1 (C) by striking “lowest unit charge of the
2 station for the same class and amount of time
3 for the same period” and insert “lowest charge
4 of the station for the same amount of time for
5 the same period”; and

6 (2) by inserting after subsection (b) the follow-
7 ing new subsection:

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

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

19 **SEC. 802. CAMPAIGN ADVERTISING AMENDMENTS.**

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

22 (1) in the matter before paragraph (1) of sub-
23 section (a), by striking “Whenever” and inserting
24 “Whenever a political committee makes a disburse-
25 ment for the purpose of financing any communica-

1 tion through any broadcasting station, newspaper,
2 magazine, outdoor advertising facility, mailing, or
3 any other type of general public political advertising,
4 or whenever”;

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

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

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

13 (5) by adding at the end the following new sub-
14 sections:

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

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

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

21 “(3) consist of a reasonable degree of color con-
22 trast between the background and the printed state-
23 ment.

24 “(d)(1) Any communication described in subsection
25 (a)(1) or subsection (a)(2) that is provided to and distrib-

1 uted by any broadcasting station or cable system (as such
2 terms are defined in sections 315 and 602 (respectively)
3 of the Communications Act of 1934) shall include, in addi-
4 tion to the requirements of subsections (a)(1) and (a)(2),
5 an audio statement by the candidate that identifies the
6 candidate and states that the candidate has approved the
7 communication.

8 “(2) If a communication described in paragraph (1)
9 contains any visual images, the statement required by
10 paragraph (1) shall—

11 “(A) appear in a clearly readable manner with
12 a reasonable degree of color contrast between the
13 background and the printed statement, for a period
14 of at least 4 seconds at the end of the communica-
15 tion; and

16 “(B) be accompanied by a clearly identifiable
17 photographic or similar image of the candidate.

18 “(e) Any communication described in subsection
19 (a)(3) that is provided to and distributed by any broad-
20 casting station or cable system (as such terms are defined
21 in sections 315 and 602 (respectively) of the Communica-
22 tions Act of 1934) shall include, in addition to the require-
23 ments of those subsections, in a clearly spoken manner,
24 the following statement—

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

10 “(f) In the case of an election for the office of Rep-
11 resentative in, or Delegate or Resident Commissioner to,
12 the Congress, any communication described in subsection
13 (a)(1) or subsection (a)(2) on behalf of a candidate who
14 is not an eligible House of Representatives candidate shall
15 disclose the noneligible status of the candidate.”.

16 **SEC. 803. TELEPHONE VOTING BY PERSONS WITH DISABIL-**
17 **ITIES.**

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

20 (1) IN GENERAL.—The Federal Election Com-
21 mission shall conduct a study to determine the fea-
22 sibility of developing a system or systems by which
23 persons with disabilities may be permitted to vote by
24 telephone.

1 (2) CONSULTATION.—The Federal Election
2 Commission shall conduct the study described in
3 paragraph (1) in consultation with State and local
4 election officials, representatives of the telecommuni-
5 cations industry, representatives of persons with dis-
6 abilities, and other concerned members of the public.

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

9 (A) propose a description of the kinds of
10 disabilities that impose such difficulty in travel
11 to polling places that a person with a disability
12 who may desire to vote is discouraged from un-
13 dertaking such travel;

14 (B) propose procedures to identify persons
15 who are so disabled; and

16 (C) describe procedures and equipment
17 that may be used to ensure that—

18 (i) only those persons who are entitled
19 to use the system are permitted to use it;

20 (ii) the votes of persons who use the
21 system are recorded accurately and remain
22 secret;

23 (iii) the system minimizes the possibil-
24 ity of vote fraud; and

1 (iv) the system minimizes the finan-
2 cial costs that State and local governments
3 would incur in establishing and operating
4 the system.

5 (4) REQUESTS FOR PROPOSALS.—In developing
6 a system described in paragraph (1), the Federal
7 Election Commission may request proposals from
8 private contractors for the design of procedures and
9 equipment to be used in the system.

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

14 (6) DEADLINE.—The Federal Election Commis-
15 sion shall submit to Congress the study required by
16 this section not later than 1 year after the date of
17 enactment of this Act.

18 **SEC. 804. TRANSFER OF PRESIDENTIAL ELECTION FINANC-**
19 **ING PROVISIONS TO FEDERAL ELECTION**
20 **CAMPAIGN ACT OF 1971.**

21 (a) GENERAL RULE.—The Federal Election Cam-
22 paign Act of 1971 is amended by adding at the end the
23 following:

1 **“TITLE VIII—FINANCING OF**
2 **PRESIDENTIAL ELECTION**
3 **CAMPAIGNS**

4 **“Subtitle A—Presidential Election**
5 **Campaign Fund**

6 **“Subtitle B—Presidential Primary**
7 **Matching Payment Account”.**

8 (b) TRANSFER OF PROVISIONS FROM INTERNAL
9 REVENUE CODE.—

10 (1) Sections 9001 through 9012 of the Internal
11 Revenue Code of 1986 are hereby transferred to the
12 Federal Election Campaign Act of 1971, inserted
13 after the heading for subtitle A of title VIII of such
14 Act (as added by subsection (a)), and redesignated
15 as sections 801 through 812, respectively.

16 (2) Sections 9031 through 9042 of the Internal
17 Revenue Code of 1986 are hereby transferred to the
18 Federal Election Campaign Act of 1971, inserted
19 after the heading for subtitle B of title VIII of such
20 Act, and redesignated as sections 831 through 842,
21 respectively.

22 (c) CONFORMING AMENDMENTS TO INTERNAL REVE-
23 NUE CODE.—The Internal Revenue Code of 1986 is
24 amended—

1 (1) by striking “section 9006(a)” in section
2 6096(a) and inserting “section 806(a) of the Fed-
3 eral Election Campaign Act of 1971”,

4 (2) by striking subtitle H, and

5 (3) by striking the item relating to subtitle H
6 in the table of subtitles.

7 (d) CONFORMING AMENDMENTS TO TRANSFERRED
8 SECTIONS.—

9 (1) Each section transferred under subsection
10 (b) is amended by striking each reference contained
11 therein to another provision transferred and redesign-
12 ated by subsection (b) and inserting a reference to
13 the redesignated provision.

14 (2) Title VIII of the Federal Election Cam-
15 paign Act of 1971 (as amended by the foregoing
16 provisions of this section) is amended—

17 (A) by striking “This chapter” each place
18 it appears and inserting “This subtitle”,

19 (B) by striking “this chapter” each place
20 it appears and inserting “this subtitle”,

21 (C) by striking “of the Federal Election
22 Campaign Act of 1971” each place it appears,

23 (D) by striking “chapter 96” in section
24 803(e) and inserting “subtitle B”,

1 (E) by striking “section 6096” in sections
2 806(a), 808(a), and 810(c) and inserting “sec-
3 tion 6096 of the Internal Revenue Code of
4 1986”, and

5 (F) by striking “this subtitle” in section
6 810(c) and inserting “this title”.

7 (e) SAVINGS PROVISIONS.—

8 (1) CONTINUATION OF FUNDS.—The fund es-
9 tablished under section 806(a) of the Federal Elec-
10 tion Campaign Act of 1971 (as amended by this sec-
11 tion) shall be treated for all purposes of law as a
12 continuation of the fund established by section
13 9006(a) of the Internal Revenue Code of 1986 (as
14 in effect on the day before the date of the enactment
15 of this Act). A similar rule shall apply to the ac-
16 counts required under sections 808 and 837 of the
17 Federal Election Campaign Act of 1971 (as so
18 amended).

19 (2) REFERENCES TO TRANSFERRED PROVI-
20 SIONS.—Any reference in any law, rule, regulation,
21 or other official paper to a provision of the Internal
22 Revenue Code of 1986 which was transferred under
23 subsection (b) shall be treated as reference to the
24 appropriate provision of the Federal Election Cam-
25 paign Act of 1971.

1 **TITLE IX—HOUSE OF REP-**
 2 **RESENTATIVES CAMPAIGN**
 3 **ELECTION FUNDING AND RE-**
 4 **LATED MATTERS**

5 **SEC. 901. CITIZEN REPRESENTATIVE FUND.**

6 The Federal Election Campaign Act of 1971 (2
 7 U.S.C. 431 et seq.), as amended by section 121, is further
 8 amended by adding at the end the following new title:

9 **“TITLE VII—CITIZEN**
 10 **REPRESENTATIVE FUND**

11 **“SEC. 701. ESTABLISHMENT AND OPERATION OF THE FUND.**

12 “(a) IN GENERAL.—There is hereby established on
 13 the books of the Treasury of the United States a special
 14 fund to be known as the Citizen Representative Fund
 15 (hereinafter in this title referred to as the ‘fund’). The
 16 amounts designated for the fund shall remain available
 17 without fiscal limitation for purposes of providing benefits
 18 under title VI and making expenditures for the adminis-
 19 tration of the fund. The Secretary shall maintain such ac-
 20 counts in the fund as may be required by this title or
 21 which the Secretary determines to be necessary to carry
 22 out the provisions of this title.

23 “(b) PAYMENTS UPON CERTIFICATION.—Upon re-
 24 ceipt of a certification from the Commission under section
 25 604, except as provided in subsection (c), the Secretary

1 shall issue within 48 hours to an eligible candidate the
2 amount of voter communication vouchers certified by the
3 Commission to the eligible candidate out of the fund.

4 “(c) REDUCTIONS IN PAYMENTS IF FUNDS INSUFFI-
5 CIENT.—If on June 1, 1998, or on June 1 of a Federal
6 election year thereafter, the Secretary determines that the
7 moneys in the fund are not, or may not be, sufficient to
8 satisfy the full entitlement of all eligible candidates, the
9 Secretary shall withhold from such payment the amount
10 necessary to assure that each eligible candidate will receive
11 a pro rata share of the candidate’s full entitlement.
12 Amounts so withheld shall be paid when the Secretary de-
13 termines that there are sufficient moneys in the fund to
14 pay such amounts, or portions thereof, to all eligible can-
15 didates from whom amounts have been withheld, but, if
16 there are not sufficient moneys in the fund to satisfy the
17 full entitlement of an eligible candidate, the amounts so
18 withheld shall be paid in such manner that each eligible
19 candidate receives a pro rata share of the full entitlement,
20 except that—

21 “(1) in special elections, a candidate shall re-
22 ceive the full entitlement not a pro rata share; and

23 “(2) a candidate who receives vouchers from
24 the fund in response to an independent expenditure

1 as provided in section 604(f) shall receive the full
2 entitlement not a pro rata share.

3 “(d) NOTIFICATION.—The Secretary shall notify the
4 Commission and each eligible candidate by registered mail
5 of any reduction of any payment by reason of subsection
6 (c).

7 “(e) REDEEMABILITY OF VOUCHERS.—Voter com-
8 munication vouchers issued and used as provided in this
9 section shall be redeemable at face value by the Secretary
10 through the facilities of the Treasury of the United States.
11 The Secretary shall issue regulations providing for the re-
12 demption of voter communication vouchers through finan-
13 cial institutions which are insured by the Federal Deposit
14 Insurance Corporation or the Federal Savings and Loan
15 Insurance Corporation. No financial institution may im-
16 pose a fee or other charge for the redemption of voter com-
17 munication vouchers.”.

18 **SEC. 902. DESIGNATION OF OVERPAYMENTS AND CON-**
19 **TRIBUTIONS FOR THE CITIZEN REPRESENTA-**
20 **TIVE FUND AS SPECIFIED BY THE TAXPAYER.**

21 (a) IN GENERAL.—Subchapter A of chapter 61 of the
22 Internal Revenue Code of 1986 (relating to returns and
23 records) is amended by adding at the end the following:

1 **“PART IX—DESIGNATION OF**
2 **OVERPAYMENTS AND CON-**
3 **TRIBUTIONS FOR THE CITI-**
4 **ZEN REPRESENTATIVE FUND**
5 **AS SPECIFIED BY THE TAX-**
6 **PAYER**

“Sec. 6097. Designation.

7 **“SEC. 6097. DESIGNATION.**

8 “(a) IN GENERAL.—With respect to each taxpayer’s
9 return for the taxable year of the tax imposed by chapter
10 1, such taxpayer may designate that—

11 “(1) a specified portion (not less than \$1 or
12 more than \$5,000, and not less than \$1 or more
13 than \$10,000 in the case of a joint return) of any
14 overpayment of tax for such taxable year, and

15 “(2) any contribution which the taxpayer in-
16 cludes with such return,
17 shall be used for the Citizen Representative Fund.

18 “(b) MANNER AND TIME OF DESIGNATION.—A des-
19 ignation under subsection (a) may be made with respect
20 to any taxable year only at the time of filing the return
21 of tax imposed by chapter 1 for such taxable year. Such
22 designation shall be made on the 1st page of the return.

23 “(c) OVERPAYMENTS TREATED AS REFUNDED.—For
24 purposes of this title, any portion of an overpayment of

1 tax designated under subsection (a) shall be treated as
 2 being refunded to the taxpayer as of the last date pre-
 3 scribed for filing the return of tax imposed by chapter 1
 4 (determined without regard to extensions) or, if later, the
 5 date the return is filed.”

6 (b) CLERICAL AMENDMENT.—The table of parts for
 7 such subchapter A is amended by adding at the end there-
 8 of the following new item:

“Part IX. Designation of overpayments and contributions for the
 Citizen Representative Fund as specified by the
 taxpayer.”

9 (c) EFFECTIVE DATE.—The amendments made by
 10 this section shall apply to taxable years beginning after
 11 December 31, 1995.

12 **SEC. 903. FUNDING.**

13 The Federal Civil Penalties Inflation Adjustment Act
 14 of 1990 (28 U.S.C. 2461 note) is amended—

15 (1) by amending section 4 to read as follows:

16 “ADJUSTMENT OF PENALTIES BY REGULATION

17 “SEC. 4. The head of each Federal department or
 18 agency shall—

19 “(1) by regulation, not later than the date of
 20 enactment of this Act, and every year thereafter, ad-
 21 just each civil monetary penalty provided by law
 22 within the jurisdiction of the department or agency,
 23 except any penalty under the Internal Revenue Code

1 of 1986, by the inflation adjustment described in
2 section 5;

3 “(2) publish each such adjustment in the Fed-
4 eral Register; and

5 “(3) submit to the Secretary of the Treasury by
6 November 15 of each year a statement of—

7 “(A) the amount of such penalties collected
8 during the preceding fiscal year; and

9 “(B) the portion of that amount that is at-
10 tributable to inflation adjustments, determined
11 under section 8.”;

12 (2) in section 5(a) by striking “The adjustment
13 described under paragraphs (4) and (5)(A) of sec-
14 tion 4” and inserting “The inflation adjustment”;
15 and

16 (3) adding at the end the following new sec-
17 tions:

18 “APPLICATION OF PENALTY ADJUSTMENTS

19 “SEC. 7. Any adjustment to a civil monetary penalty
20 made under section 4 shall apply to violations that occur
21 after the date on which the adjustment is made.

22 “DEPOSIT OF INCREASED COLLECTIONS IN THE CITIZEN
23 REPRESENTATIVE FUND

24 “SEC. 8. (a) On the first November 15 following the
25 date of enactment of this Act, and on November 15 of
26 each year thereafter, the Secretary of the Treasury shall

1 transfer to the Citizen Representative Fund the portion
2 of the amount of civil penalties collected by each Federal
3 department or agency during the preceding year that is
4 attributable to inflation adjustments made under section
5 4.

6 “(b) For the purposes of subsection (a), each amount
7 of a civil penalty collected for a violation that occurs after
8 the date of enactment shall be considered to include a por-
9 tion attributable to the inflation adjustment that is equal
10 to the amount collected multiplied by the fraction obtained
11 by dividing—

12 “(1) the amount by which the maximum au-
13 thorized amount of the penalty had been adjusted
14 under section 4 after the date of enactment, and be-
15 fore the penalty was imposed, by

16 “(2) the maximum authorized penalty as of the
17 date of enactment of this section.”.

18 **SEC. 904. AFFINITY CARDS.**

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

22 “(c) Notwithstanding the provisions of this section or
23 any other provision of this Act to the contrary, an amount
24 received from a corporation (including a State-chartered
25 or national bank) by the Citizen Representative Fund

1 (other than a separate segregated fund established under
2 section 316(b)(2)(C)) shall be deemed to meet the limita-
3 tions and prohibitions of this Act if such amount rep-
4 resents a commission or royalty on the issuance or use
5 of credit cards, by such corporation and if—

6 “(1) such credit cards are promoted in the
7 name of the Citizen Representative Fund as a means
8 of contributing to or supporting the Fund;

9 “(2) consumers are informed by the corporation
10 concerning the percentage of commission or royalty
11 that will go directly to the Citizen Representative
12 Fund;

13 “(3) the corporation is in the business of issu-
14 ing such credit cards;

15 “(4) the royalty or commission has been offered
16 by the corporation to the Fund in the ordinary
17 course of the corporation’s business and on the same
18 terms and conditions as those on which such cor-
19 poration offers royalties or commissions to nonpoliti-
20 cal entities;

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

1 “(6) except for any royalty or commission per-
2 mitted to be paid by this subsection, no goods, serv-
3 ices, or anything else of value is provided by such
4 corporation to the Fund, except that such corpora-
5 tion may advance or finance costs or extend credit
6 in connection with the issuance of credit cards pur-
7 suant to this subsection if and to the extent such ad-
8 vance, financing, or extension is undertaken in the
9 ordinary course of the corporation’s business and is
10 undertaken on similar terms by such corporation in
11 its transactions with nonpolitical entities in like cir-
12 cumstances.”.

13 **TITLE X—EFFECTIVE DATES;**
14 **SEVERABILITY**

15 **SEC. 1001. EFFECTIVE DATE.**

16 Except as otherwise provided in this Act, the amend-
17 ments made by, and the provisions of, this Act shall take
18 effect on the date of the enactment of this Act but shall
19 not apply with respect to activities in connection with any
20 election occurring before January 1, 1997.

21 **SEC. 1002. SEVERABILITY.**

22 (a) Except as provided in subsection (b), if any provi-
23 sion of this Act (including any amendment made by this
24 Act), or the application of any such provision to any per-
25 son or circumstance, is held invalid, the validity of any

1 other provision of this Act, or the application of such pro-
2 vision to other persons and circumstances, shall not be af-
3 fected thereby.

4 (b) If title VI of the Federal Election Campaign Act
5 of 1971, section 315 (i) through (j) (as added by this Act),
6 or section 701 (as added by this Act), or any part thereof,
7 is held to be invalid, all provisions of, and amendments
8 made by title VI, section 315 (i) through (j) of this Act,
9 or section 701 of this Act shall be treated as invalid.

10 **SEC. 1003. EXPEDITED REVIEW OF CONSTITUTIONAL IS-**
11 **SUES.**

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

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

1 **SEC. 1004. REGULATIONS.**

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

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