

104TH CONGRESS
1ST SESSION

S. 1219

To reform the financing of Federal elections, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7 (legislative day, SEPTEMBER 5), 1995

Mr. MCCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Mr. PELL, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To reform the financing of Federal elections, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senate Campaign
5 Finance Reform Act of 1995”.

6 **SEC. 2. AMENDMENT OF CAMPAIGN ACT; TABLE OF CON-**
7 **TENTS.**

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

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Amendment of Campaign Act; table of contents.

TITLE I—SENATE ELECTION SPENDING LIMITS AND BENEFITS

- Sec. 101. Senate election spending limits and benefits.
- Sec. 102. Free broadcast time.
- Sec. 103. Broadcast rates and preemption.
- Sec. 104. Reduced postage rates.
- Sec. 105. Contribution limit for eligible Senate candidates.

TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE

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

- Sec. 201. Ban on activities of political action committees in Federal elections.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Subtitle C—Soft Money of Persons Other Than Political Parties

- Sec. 221. Soft money of persons other than political parties.

Subtitle D—Contributions

- Sec. 231. Contributions through intermediaries and conduits.

Subtitle E—Additional Contribution Limits

- Sec. 241. Allowable contributions for complying candidates.

Subtitle F—Independent Expenditures

- Sec. 251. Clarification of definitions relating to independent expenditures.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Restrictions on use of campaign funds for personal purposes.
- Sec. 302. Campaign advertising amendments.
- Sec. 303. Filing procedures.
- Sec. 304. Audits.
- Sec. 305. Limit on congressional use of the franking privilege.
- Sec. 306. Authority to seek injunction.
- Sec. 307. Severability.
- Sec. 308. Expedited review of constitutional issues.
- Sec. 309. Reporting Requirements.
- Sec. 310. Effective date.
- Sec. 311. Regulations.

1 **TITLE I—SENATE ELECTION**
 2 **SPENDING LIMITS AND BENE-**
 3 **FITS**

4 **SEC. 101. SENATE ELECTION SPENDING LIMITS AND BENE-**
 5 **FITS.**

6 (a) IN GENERAL.—FECA is amended by adding at
 7 the end the following new title:

8 **“TITLE V—SPENDING LIMITS**
 9 **AND BENEFITS FOR SENATE**
 10 **ELECTION CAMPAIGNS**

11 **“SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.**

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

14 “(1) meets the primary and general election fil-
 15 ing requirements of subsections (c) and (d);

16 “(2) meets the primary and runoff election ex-
 17 penditure limits of subsection (b);

18 “(3) meets the threshold contribution require-
 19 ments of subsection (e); and

20 “(4) does not exceed the limitation on expendi-
 21 tures from personal funds under section 502(a).

22 “(b) PRIMARY AND RUNOFF EXPENDITURE LIM-
 23 ITS.—

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

1 “(A) the candidate or the candidate’s au-
2 thorized committees did not make expenditures
3 for the primary election in excess of the lesser
4 of—

5 “(i) 67 percent of the general election
6 expenditure limit under section 502(b); or

7 “(ii) \$2,750,000; and

8 “(B) the candidate and the candidate’s au-
9 thorized committees did not make expenditures
10 for any runoff election in excess of 20 percent
11 of the general election expenditure limit under
12 section 502(b).

13 “(2) INDEXING.—The \$2,750,000 amount
14 under paragraph (1)(A)(ii) shall be increased as of
15 the beginning of each calendar year based on the in-
16 crease in the price index determined under section
17 315(c), except that the base period shall be calendar
18 year 1995.

19 “(c) PRIMARY FILING REQUIREMENTS.—

20 “(1) IN GENERAL.—The requirements of this
21 subsection are met if the candidate files with the
22 Secretary of the Senate a certification that—

23 “(A) the candidate and the candidate’s au-
24 thorized committees—

1 “(i) will meet the primary and runoff
2 election expenditure limits of subsection
3 (b); and

4 “(ii) will only accept contributions for
5 the primary and runoff elections which do
6 not exceed such limits;

7 “(B) the candidate and the candidate’s au-
8 thorized committees will meet the limitation on
9 expenditures from personal funds under section
10 502(a); and

11 “(C) the candidate and the candidate’s au-
12 thorized committees will meet the general elec-
13 tion expenditure limit under section 502(b).

14 “(2) DEADLINE FOR FILING CERTIFICATION.—
15 The certification under paragraph (1) shall be filed
16 not later than the date the candidate files as a can-
17 didate for the primary election.

18 “(d) GENERAL ELECTION FILING REQUIREMENTS.—

19 “(1) IN GENERAL.—The requirements of this
20 subsection are met if the candidate files a certifi-
21 cation with the Secretary of the Senate under pen-
22 alty of perjury that—

23 “(A) the candidate and the candidate’s au-
24 thorized committees—

1 “(i) met the primary and runoff elec-
2 tion expenditure limits under subsection
3 (b); and

4 “(ii) did not accept contributions for
5 the primary or runoff election in excess of
6 the primary or runoff expenditure limit
7 under subsection (b), whichever is applica-
8 ble, reduced by any amounts transferred to
9 this election cycle from a preceding election
10 cycle;

11 “(B) at least one other candidate has
12 qualified for the same general election ballot
13 under the law of the State involved;

14 “(C) the candidate and the authorized
15 committees of the candidate—

16 “(i) except as otherwise provided by
17 this title, will not make expenditures that
18 exceed the general election expenditure
19 limit under section 502(b);

20 “(ii) will not accept any contributions
21 in violation of section 315; and

22 “(iii) except as otherwise provided by
23 this title, will not accept any contribution
24 for the general election involved to the ex-
25 tent that such contribution would cause

1 the aggregate amount of contributions to
2 exceed the sum of the amount of the gen-
3 eral election expenditure limit under sec-
4 tion 502(b), reduced by any amounts
5 transferred to this election cycle from a
6 previous election cycle and not taken into
7 account under subparagraph (A)(ii); and

8 “(D) the candidate intends to make use of
9 the benefits provided under section 503.

10 “(2) DEADLINE FOR FILING CERTIFICATION.—

11 The certification under paragraph (1) shall be filed
12 not later than 7 days after the earlier of—

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

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

19 “(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—

20 “(1) IN GENERAL.—The requirements of this
21 subsection are met if the candidate and the can-
22 didate’s authorized committees have received allow-
23 able contributions during the applicable period in an
24 amount at least equal to the lesser of—

1 “(A) 10 percent of the general election ex-
2 penditure limit under section 502(b); or

3 “(B) \$250,000.

4 “(2) DEFINITIONS.—For purposes of this
5 Act—

6 “(A) the term ‘allowable contributions’
7 means contributions that are made as gifts of
8 money by an individual pursuant to a written
9 instrument identifying such individual as the
10 contributor, except that such term shall not in-
11 clude contributions from individuals residing
12 outside the candidate’s State to the extent such
13 contributions exceed 40 percent of the aggre-
14 gate allowable contributions (without regard to
15 this subparagraph) received by the candidate
16 during the applicable period; and

17 “(B) the term ‘applicable period’ means—

18 “(i) the period beginning on January
19 1 of the calendar year preceding the cal-
20 endar year of the general election involved
21 and ending on the date on which the cer-
22 tification under subsection (c)(2) is filed by
23 the candidate; or

24 “(ii) in the case of a special election
25 for the office of United States Senator, the

1 period beginning on the date the vacancy
2 in such office occurs and ending on the
3 date of the general election.

4 **“SEC. 502. LIMITATION ON EXPENDITURES.**

5 “(a) LIMITATION ON USE OF PERSONAL FUNDS.—

6 “(1) IN GENERAL.—The aggregate amount of
7 expenditures that may be made during an election
8 cycle by an eligible Senate candidate or such can-
9 didate’s authorized committees from the sources de-
10 scribed in paragraph (2) shall not exceed the lesser
11 of—

12 “(A) 10 percent of the general election ex-
13 penditure limit under subsection (b); or

14 “(B) \$250,000.

15 “(2) SOURCES.—A source is described in this
16 subsection if it is—

17 “(A) personal funds of the candidate and
18 members of the candidate’s immediate family;

19 or

20 “(B) personal loans incurred by the can-
21 didate and members of the candidate’s imme-
22 diate family.

23 “(3) AMENDED DECLARATION.—A candidate
24 who—

1 “(A) declares, pursuant to this Act, that
2 the candidate does not intend to expend funds
3 described in paragraph (2) in excess of
4 \$250,000; and

5 “(B) subsequently changes such declara-
6 tion or expends such funds in excess of that
7 amount,

8 shall file an amended declaration with the Commis-
9 sion and notify all other candidates for the same of-
10 fice not later than 24 hours after changing such dec-
11 laration or exceeding such limits, whichever first oc-
12 curs, by sending a notice by certified mail, return re-
13 ceipt requested.

14 “(b) GENERAL ELECTION EXPENDITURE LIMIT.—

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

20 “(A) \$5,500,000; or

21 “(B) the greater of—

22 “(i) \$950,000; or

23 “(ii) \$400,000; plus

1 “(I) 30 cents multiplied by the
2 voting age population not in excess of
3 4,000,000; and

4 “(II) 25 cents multiplied by the
5 voting age population in excess of
6 4,000,000.

7 “(2) EXCEPTION.—In the case of an eligible
8 Senate candidate in a State that has not more than
9 1 transmitter for a commercial Very High Fre-
10 quency (VHF) television station licensed to operate
11 in that State, paragraph (1)(B)(ii) shall be applied
12 by substituting—

13 “(A) ‘80 cents’ for ‘30 cents’ in subclause
14 (I); and

15 “(B) ‘70 cents’ for ‘25 cents’ in subclause
16 (II).

17 “(3) INDEXING.—The amount otherwise deter-
18 mined under paragraph (1) for any calendar year
19 shall be increased by the same percentage as the
20 percentage increase for such calendar year under
21 section 501(b)(2).

22 “(c) PAYMENT OF TAXES.—The limitation under
23 subsection (b) shall not apply to any expenditure for Fed-
24 eral, State, or local taxes with respect to earnings on con-
25 tributions raised.

1 the Commission shall certify the candidate's eligibility for
2 free broadcast time under section 315(b)(2) of the Com-
3 munications Act of 1934. The Commission shall revoke
4 such certification if it determines a candidate fails to con-
5 tinue to meet the requirements of this title.

6 “(b) DETERMINATIONS BY COMMISSION.—All deter-
7 minations (including certifications under subsection (a))
8 made by the Commission under this title shall be final,
9 except to the extent that they are subject to examination
10 and audit by the Commission under section 505.

11 **“SEC. 505. REPAYMENTS; ADDITIONAL CIVIL PENALTIES.**

12 “(a) EXCESS PAYMENTS; REVOCATION OF STA-
13 TUS.—If the Commission revokes the certification of a
14 candidate as an eligible Senate candidate under section
15 504(a), the Commission shall notify the candidate, and the
16 candidate shall pay an amount equal to the value of the
17 benefits received under this title.

18 “(b) MISUSE OF BENEFITS.—If the Commission de-
19 termines that any benefit made available to an eligible
20 Senate candidate under this title was not used as provided
21 for in this title, or that a candidate has violated any of
22 the spending limits contained in this Act, the Commission
23 shall so notify the candidate and the candidate shall pay
24 an amount equal to the value of such benefit.”.

1 (b) TRANSITION PERIOD.—Expenditures made be-
2 fore January 1, 1997, shall not be counted as expenditures
3 for purposes of the limitations contained in the amend-
4 ment made by subsection (a).

5 **SEC. 102. FREE BROADCAST TIME.**

6 (a) IN GENERAL.—Section 315 of the Communica-
7 tions Act of 1934 (47 U.S.C. 315) is amended—

8 (1) in subsection (a)—

9 (A) by striking “within the meaning of this
10 subsection” and inserting “within the meaning
11 of this subsection and subsection (c)”;

12 (B) by redesignating subsections (c) and
13 (d) as subsections (d) and (e), respectively; and

14 (C) by inserting immediately after sub-
15 section (b) the following new subsection:

16 “(c)(1) An eligible Senate candidate who has quali-
17 fied for the general election ballot shall be entitled to re-
18 ceive a total of 30 minutes of free broadcast time from
19 broadcasting stations within the State or an adjacent
20 State.

21 “(2)(A) Unless a candidate elects otherwise, the
22 broadcast time made available under this subsection shall
23 be between 6:00 p.m. and 10:00 p.m. on any day that falls
24 on Monday through Friday.

1 “(B) Except as otherwise provided in this Act, a can-
2 didate may use such time as the candidate elects except
3 that such time may not be used in intervals of less than
4 30 seconds or more than 5 minutes.

5 “(C) A candidate may not request more than 15 min-
6 utes of free broadcast time be aired by any one broadcast-
7 ing station.

8 “(3)(A) In the case of an election among more than
9 2 candidates, the broadcast time provided under para-
10 graph (1) shall be allocated as follows:

11 “(i) The amount of broadcast time that shall be
12 provided to the candidate of a minor party shall be
13 equal to the number of minutes allocable to the
14 State multiplied by the percentage of the number of
15 popular votes received by the candidate of that party
16 in the preceding general election for the Senate in
17 the State (or if subsection (d)(4)(B) applies, the per-
18 centage determined under such subsection).

19 “(ii) The amount of broadcast time remaining
20 after assignment of broadcast time to minor party
21 candidates under clause (i) shall be allocated equally
22 between the major party candidates.

23 “(B) In the case of an election where only 1 candidate
24 qualifies to be on the general election ballot, no time shall

1 be required to be provided by a licensee under this sub-
2 section.

3 “(4) The Federal Election Commission shall by regu-
4 lation exempt from the requirements of this subsection—

5 “(A) a licensee whose signal is broadcast sub-
6 stantially nationwide; and

7 “(B) a licensee that establishes that such re-
8 quirements would impose a significant economic
9 hardship on the licensee.”; and

10 (2) in subsection (d), as redesignated—

11 (A) by striking “and” at the end of para-
12 graph (1);

13 (B) by striking the period at the end of
14 paragraph (2) and inserting a semicolon; and

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

17 “(3) the term ‘major party’ means, with respect
18 to an election for the United States Senate in a
19 State, a political party whose candidate for the Unit-
20 ed States Senate in the preceding general election
21 for the Senate in that State received, as a candidate
22 of that party, 25 percent or more of the number of
23 popular votes received by all candidates for the Sen-
24 ate;

1 “(4) the term ‘minor party’ means, with respect
2 to an election for the United States Senate in a
3 State, a political party—

4 “(A) whose candidate for the United
5 States Senate in the preceding general election
6 for the Senate in that State received 5 percent
7 or more but less than 25 percent of the number
8 of popular votes received by all candidates for
9 the Senate; or

10 “(B) whose candidate for the United
11 States Senate in the current general election for
12 the Senate in that State has obtained the signa-
13 tures of at least 5 percent of the State’s reg-
14 istered voters, as determined by the chief voter
15 registration official of the State, in support of
16 a petition for an allocation of free broadcast
17 time under this subsection; and

18 “(5) the term ‘Senate election cycle’ means,
19 with respect to an election to a seat in the United
20 States Senate, the 6-year period ending on the date
21 of the general election for that seat.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to general elections occurring after
24 December 31, 1996 (and the election cycles relating there-
25 to).

1 **SEC. 103. BROADCAST RATES AND PREEMPTION.**

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

4 (1) by striking “(b) The changes” and inserting
5 “(b)(1) The changes”;

6 (2) by redesignating paragraphs (1) and (2) as
7 subparagraphs (A) and (B), respectively;

8 (3) in paragraph (1)(A), as redesignated—

9 (A) by striking “forty-five” and inserting
10 “30”; and

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

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

19 “(2) In the case of an eligible Senate candidate (as
20 described in section 501(a) of the Federal Election Cam-
21 paign Act), the charges for the use of a television broad-
22 casting station during the 30-day period and 60-day pe-
23 riod referred to in paragraph (1)(A) shall not exceed 50
24 percent of the lowest charge described in paragraph
25 (1)(A).”.

1 (b) PREEMPTION; ACCESS.—Section 315 of such Act
2 (47 U.S.C. 315), as amended by section 102(a), is amend-
3 ed—

4 (1) by redesignating subsections (d) and (e) as
5 redesignated, as subsections (e) and (f), respectively;
6 and

7 (2) by inserting immediately after subsection
8 (c) the following subsection:

9 “(d)(1) Except as provided in paragraph (2), a li-
10 censee shall not preempt the use, during any period speci-
11 fied in subsection (b)(1)(A), of a broadcasting station by
12 an eligible Senate candidate who has purchased and paid
13 for such use pursuant to subsection (b)(2).

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 (c) REVOCATION OF LICENSE FOR FAILURE TO PER-
20 MIT ACCESS.—Section 312(a)(7) of the Communications
21 Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

22 (1) by striking “or repeated”;

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

1 (3) by striking “his candidacy” and inserting
2 “the candidacy of such person, under the same
3 terms, conditions, and business practices as apply to
4 its most favored advertiser”.

5 (d) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to the general elections occurring
7 after December 31, 1995 (and the election cycles relating
8 thereto).

9 **SEC. 104. REDUCED POSTAGE RATES.**

10 (a) IN GENERAL.—Section 3626(e) of title 39, Unit-
11 ed States Code, is amended—

12 (1) in paragraph (2)—

13 (A) in subparagraph (A)—

14 (i) by striking “and the National” and
15 inserting “the National”; and

16 (ii) by inserting before the semicolon
17 the following: “, and, subject to paragraph
18 (3), the principal campaign committee of
19 an eligible Senate candidate;”;

20 (B) in subparagraph (B), by striking
21 “and” after the semicolon;

22 (C) in subparagraph (C), by striking the
23 period and inserting a semicolon; and

24 (D) by adding after subparagraph (C) the
25 following new subparagraphs:

1 (3) by inserting immediately after subpara-
 2 graph (A) the following new subparagraph:

3 “(B) to any eligible Senate candidate and the
 4 authorized political committees of such candidate
 5 with respect to any election for the office of United
 6 States Senator (if any other Senate candidate choos-
 7 es not to comply with the expenditure limits con-
 8 tained in this Act and has received contributions in
 9 excess of 10 percent of the general election limits
 10 contained in this Act or has expended personal funds
 11 in excess of 10 percent of the general election limits
 12 contained in this Act) which, in the aggregate, ex-
 13 ceed \$2,000;”.

14 **TITLE II—REDUCTION OF**
 15 **SPECIAL INTEREST INFLUENCE**
 16 **Subtitle A—Elimination of Political**
 17 **Action Committees From Fed-**
 18 **eral Election Activities**

19 **SEC. 201. BAN ON ACTIVITIES OF POLITICAL ACTION COM-**
 20 **MITTEES IN FEDERAL ELECTIONS.**

21 (a) IN GENERAL.—Title III of FECA (2 U.S.C. 301
 22 et seq.) is amended by adding at the end the following
 23 new section:

1 “BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL
2 ACTION COMMITTEES

3 “SEC. 324. Notwithstanding any other provision of
4 this Act, no person other than an individual or a political
5 committee may make contributions, solicit or receive con-
6 tributions, or make expenditures for the purpose of influ-
7 encing an election for Federal office.”.

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

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

12 “(A) the principal campaign committee of
13 a candidate;

14 “(B) any national, State, or district com-
15 mittee of a political party, including any subor-
16 dinate committee thereof;

17 “(C) any local committee of a political
18 party that—

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

21 “(ii) makes payments exempted from
22 the definition of contribution or expendi-
23 ture under paragraph (8) or (9) aggregat-
24 ing in excess of \$5,000 during a calendar
25 year; or

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

4 “(D) any committee jointly established by
5 a principal campaign committee and any com-
6 mittee described in subparagraph (B) or (C) for
7 the purpose of conducting joint fundraising ac-
8 tivities.”.

9 (2) Section 316(b)(2) of FECA (2 U.S.C.
10 441b(b)(2)) is amended—

11 (A) by inserting “or” after “subject;”;

12 (B) by striking “and their families; and” and
13 inserting “and their families.”; and

14 (C) by striking subparagraph (C).

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

18 “(9) For the purposes of the limitations provided by
19 paragraphs (1) and (2), any political committee that is
20 established, financed, maintained, or controlled, directly or
21 indirectly, by any candidate or Federal officeholder shall
22 be deemed to be an authorized committee of such can-
23 didate or officeholder.”.

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

1 “(3) No political committee that supports, or has
2 supported, more than one candidate may be designated as
3 an authorized committee, except that—

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

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

15 (d) RULES APPLICABLE WHEN BAN NOT IN EF-
16 FECT.—(1) For purposes of FECA, during any period be-
17 ginning after the effective date in which the limitation
18 under section 324 of that Act (as added by subsection (a))
19 is not in effect—

20 (A) the amendments made by subsections (a),
21 (b), and (c) shall not be in effect;

22 (B) it shall be unlawful for a multicandidate
23 political committee, intermediary, or conduit (as that
24 term is defined in section 315(a)(8) of FECA, as
25 amended by section 231 of this Act), to make a con-

1 tribution to a candidate for election, or nomination
2 for election, to Federal office (or an authorized com-
3 mittee) to the extent that the making or accepting
4 of the contribution will cause the amount of con-
5 tributions received by the candidate and the can-
6 didate's authorized committees from multicandidate
7 political committees to exceed 20 percent of the ag-
8 gregate Federal election spending limits applicable
9 to the candidate for the election cycle; and

10 (C) it shall be unlawful for a political commit-
11 tee, intermediary, or conduit, as that term is defined
12 in section 315(a)(8) of FECA (as amended by sec-
13 tion 231 of this Act), to make a contribution to a
14 candidate for election, or a nomination for an elec-
15 tion, to Federal office (or an authorized committee
16 of such candidate) in excess of the amount an indi-
17 vidual is allowed to give directly to a candidate or
18 a candidate's authorized committee.

19 (2) A candidate or authorized committee that receives
20 a contribution from a multicandidate political committee
21 in excess of the amount allowed under paragraph (1)(B)
22 shall return the amount of such excess contribution to the
23 contributor.

1 **Subtitle B—Provisions Relating to**
2 **Soft Money of Political Parties**

3 **SEC. 211.**

4 A national committee of a political party, including
5 the national congressional campaign committees of a polit-
6 ical party, and any officers or agents of such party com-
7 mittees, shall not solicit or receive any contributions, do-
8 nations, or transfers of funds, or spend any funds, not
9 subject to the limitations, prohibitions, and reporting re-
10 quirements of this Act. This provision shall apply to any
11 entity that is established, financed, maintained or con-
12 trolled by a national committee of a political party, includ-
13 ing the national congressional campaign committees of a
14 political party, and any officer or agents of such party
15 committees, other than an entity that is regulated by sec-
16 tion (2) below.

17 **SEC. 212.**

18 (a) Any amount expended or disbursed by a State,
19 district, or local committee of a political party, during a
20 calendar year in which a Federal election is held, for any
21 activity which might affect the outcome of a Federal elec-
22 tion, including but not limited to any voter registration
23 and get-out-the-vote activity, any generic campaign activ-
24 ity, and any communication that identifies a Federal can-
25 didate (regardless of whether a State or local candidate

1 is also mentioned or identified) shall be made from funds
2 subject to the limitations, prohibitions and reporting re-
3 quirements of this Act.

4 (b) Paragraph (a) shall not apply to expenditures or
5 disbursements made by a State, district or local committee
6 of a political party for—

7 (1) a contribution to a candidate other than for
8 Federal office, provided that such contribution is not
9 designated or otherwise earmarked to pay for activi-
10 ties described in subparagraph (a) above;

11 (2) the costs of a State or district/local political
12 convention;

13 (3) the non-Federal share of a State, district or
14 local party committee's administrative and overhead
15 expenses (but not including the compensation in any
16 month of any individual who spends more than 20
17 percent of his or her time on activity during such
18 month which may affect the outcome of a Federal
19 election). For purposes of this provision, the non-
20 federal share of a party committee's administrative
21 and overhead expenses shall be determined by apply-
22 ing the ratio of the non-Federal disbursements to
23 the total Federal expenditures and non-Federal dis-
24 bursements made by the committee during the pre-
25 vious presidential election year to the committee's

1 administrative and overhead expenses in the election
2 year in question;

3 (4) the costs of grassroots campaign materials,
4 including buttons, bumperstickers, and yard signs,
5 which material solely name or depict a State or local
6 candidate; and

7 (5) the cost of any campaign activity conducted
8 solely on behalf of a clearly identified State or local
9 candidate, provided that such activity is not covered
10 by subparagraph (a) above.

11 (c) Any amount spent by a national, State, district
12 or local committee or entity of a political party to raise
13 funds that are used, in whole or in part, to pay the costs
14 of any activity covered by paragraph 2(a) above shall be
15 made from funds subject to the limitations, prohibitions,
16 and reporting requirements of this Act.

17 This provision shall apply to any entity that is estab-
18 lished, financed, maintained, or controlled by a State, dis-
19 trict or local committee of a political party or any agent
20 or officer of such party committee in the same manner
21 as it applies to that committee.

22 **SEC. 213.**

23 No national, State, district or local committee of a
24 political party shall solicit any funds for or make any do-

1 nations to any organization that is exempt from Federal
2 taxation under 26 U.S.C. 501(c).

3 **SEC. 214.**

4 No candidate for Federal office, individual holding
5 Federal office, or any agent of such candidate or office-
6 holder, may solicit or receive any funds in connection with
7 any Federal election unless such funds are subject to the
8 limitations, prohibitions and reporting requirements of
9 this Act; This provision shall not apply to the solicitation
10 or receipt of funds by an individual who is a candidate
11 for a non-Federal office if such activity is permitted under
12 State law for such individual's non-Federal campaign com-
13 mittee.

14 **SEC. 215. REPORTING REQUIREMENTS.**

15 (a) REPORTING REQUIREMENTS.—Section 304 of
16 FECA (2 U.S.C. 434) is amended by adding at the end
17 the following new subsection:

18 “(d) POLITICAL COMMITTEES.—(1) The national
19 committee of a political party, any congressional campaign
20 committee of a political party, and any subordinate com-
21 mittee of either, shall report all receipts and disburse-
22 ments during the reporting period, whether or not in con-
23 nection with an election for Federal office.

24 “(2) A political committee (not described in para-
25 graph (1)) to which section 325 applies shall report all

1 receipts and disbursements including separate schedules
2 for receipts and disbursements for any State Party Grass-
3 roots Fund described in section 301(21).

4 “(3) Any political committee to which section 325 ap-
5 plies shall include in its report under paragraph (1) or
6 (2) the amount of any transfer described in section
7 325(d)(2) and shall itemize such amounts to the extent
8 required by subsection (b)(3)(A).

9 “(4) Any political committee to which paragraph (1)
10 or (2) does not apply shall report any receipts or disburse-
11 ments that are used in connection with a Federal election.

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

18 “(6) Reports required to be filed under this sub-
19 section shall be filed for the same time periods required
20 for political committees under subsection (a).”.

21 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
22 301(8) of FECA (2 U.S.C. 431(8)) is amended by insert-
23 ing at the end the following:

24 “(C) The exclusion provided in subpara-
25 graph (B)(viii) shall not apply for purposes of

1 any requirement to report contributions under
2 this Act, and all such contributions aggregating
3 in excess of \$200 shall be reported.”.

4 (c) REPORTS BY STATE COMMITTEES.—Section 304
5 of FECA (2 U.S.C. 434), as amended by subsection (a),
6 is amended by adding at the end the following new sub-
7 section:

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

14 (d) OTHER REPORTING REQUIREMENTS.—

15 (1) AUTHORIZED COMMITTEES.—Section
16 304(b)(4) of FECA (2 U.S.C. 434(b)(4)) is amend-
17 ed—

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

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

22 (C) by adding at the end the following new
23 subparagraph:

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

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

3 (2) NAMES AND ADDRESSES.—Section
4 304(b)(5)(A) of FECA (2 U.S.C. 434(b)(5)(A)) is
5 amended—

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

7 and

8 (B) by inserting “, and the election to
9 which the operating expenditure relates” after
10 “operating expenditure”.

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

13 **SEC. 221. SOFT MONEY OF PERSONS OTHER THAN POLITI-**
14 **CAL PARTIES.**

15 Section 304 of FECA (2 U.S.C. 434), as amended
16 by section 215(c), is amended by adding at the end the
17 following new subsection:

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

23 “(I) on or before the date that is 48 hours be-
24 fore the disbursements (or obligations) are made; or

1 “(II) in the case of disbursements (or obliga-
2 tions) that are required to be made within 14 days
3 of the election, on or before such 14th day.

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

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

8 “(i) a candidate or a candidate’s authorized
9 committees; or

10 “(ii) an independent expenditure (as defined in
11 section 301(17)).

12 “(2) Any statement under this section shall be filed
13 with the Secretary of the Senate or the Clerk of the House
14 of Representatives, and the Secretary of State (or equiva-
15 lent official) of the State involved, as appropriate, and
16 shall contain such information as the Commission shall
17 prescribe, including whether the disbursement is in sup-
18 port of, or in opposition to, 1 or more candidates or any
19 political party. The Secretary of the Senate or Clerk of
20 the House of Representatives shall, as soon as possible
21 (but not later than 24 hours after receipt), transmit a
22 statement to the Commission. Not later than 48 hours
23 after receipt, the Commission shall transmit the statement
24 to—

1 “(A) the candidates or political parties involved;
2 or

3 “(B) if the disbursement is not in support of,
4 or in opposition to, a candidate or political party,
5 the State committees of each political party in the
6 State involved.

7 “(3) The Commission may make its own determina-
8 tion that disbursements described in paragraph (1) have
9 been made or are obligated to be made. The Commission
10 shall notify the candidates or political parties described
11 in paragraph (2) not later than 24 hours after its deter-
12 mination.”.

13 **Subtitle D—Contributions**

14 **SEC. 231. CONTRIBUTIONS THROUGH INTERMEDIARIES** 15 **AND CONDUITS.**

16 Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is
17 amended to read as follows:

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

19 “(A) Contributions made by a person, ei-
20 ther directly or indirectly, to or on behalf of a
21 particular candidate, including contributions
22 that are in any way earmarked or otherwise di-
23 rected through an intermediary or conduit to a
24 candidate, shall be treated as contributions
25 from the person to the candidate. If a contribu-

1 tion is made to a candidate through an
2 intermediary or conduit, the intermediary or
3 conduit shall report the original source and the
4 intended recipient of the contribution to the
5 Commission and the intended recipient.

6 “(B) Contributions made directly or indi-
7 rectly by a person to or on behalf of a particu-
8 lar candidate through an intermediary or con-
9 duit, including contributions arranged to be
10 made by an intermediary or conduit, shall be
11 treated as contributions from the intermediary
12 or conduit to the candidate if—

13 “(i) the contributions made through
14 the intermediary or conduit are in the form
15 of a check or other negotiable instrument
16 made payable to the intermediary or con-
17 duit rather than the intended recipient; or

18 “(ii) the intermediary or conduit is—

19 “(I) a political committee, a po-
20 litical party, or an officer, employee,
21 or agent of either;

22 “(II) a person whose activities
23 are required to be reported under sec-
24 tion 308 of the Federal Regulation of
25 Lobbying Act (2 U.S.C. 267), the

1 Foreign Agents Registration Act of
2 1938 (22 U.S.C. 611 et seq.), or any
3 successor Federal law requiring a per-
4 son who is a lobbyist or foreign agent
5 to report the activities of such person;

6 “(III) a person who is prohibited
7 from making contributions under sec-
8 tion 316 or a partnership; or

9 “(IV) an officer, employee, or
10 agent of a person described in
11 subclause (II) or (III) acting on be-
12 half of such person.

13 “(C) The term ‘contributions arranged to
14 be made’ includes—

15 “(i)(I) contributions delivered directly
16 or indirectly to a particular candidate or
17 the candidate’s authorized committee or
18 agent by the person who facilitated the
19 contribution; and

20 “(II) contributions made directly or
21 indirectly to a particular candidate or the
22 candidate’s authorized committee or agent
23 that are provided at a fundraising event
24 sponsored by an intermediary or conduit
25 described in subparagraph (B);

1 (D) This paragraph shall not prohibit—
2 “(i) fundraising efforts for the benefit
3 of a candidate that are conducted by an-
4 other candidate or Federal officeholder; or
5 “(ii) the solicitation by an individual
6 using the individual’s resources and acting
7 in the individual’s own name of contribu-
8 tions from other persons in a manner not
9 described in paragraphs (B) and (C).”.

10 **Subtitle E—Additional Prohibitions**
11 **on Contributions**

12 **SEC. 241. ALLOWABLE CONTRIBUTIONS FOR COMPLYING**
13 **CANDIDATES.**

14 For the purposes of this Act, in order for a candidate
15 to be considered to be in compliance with the spending
16 limits contained in this Act, not less than 60 percent of
17 the total dollar amount of all contributions from individ-
18 uals to a candidate or a candidate’s authorized committee,
19 not including any expenditures, contributions or loans
20 made by the candidate, shall come from individuals legally
21 residing in the candidate’s State.

1 **Subtitle F—Independent** 2 **Expenditures**

3 **SEC. 251. CLARIFICATION OF DEFINITIONS RELATING TO** 4 **INDEPENDENT EXPENDITURES.**

5 (a) INDEPENDENT EXPENDITURE DEFINITION
6 AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is
7 amended by striking paragraphs (17) and (18) and insert-
8 ing the following:

9 “(17)(A) The term ‘independent expenditure’ means
10 an expenditure that—

11 “(i) contains express advocacy; and

12 “(ii) is made without the participation or co-
13 operation of, or without the consultation of, a can-
14 didate or a candidate’s representative.

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

17 “(i) An expenditure made by—

18 “(I) an authorized committee of a can-
19 didate for Federal office, or

20 “(II) a political committee of a political
21 party.

22 “(ii) An expenditure if there is any arrange-
23 ment, coordination, or direction with respect to the
24 expenditure between the candidate or the candidate’s
25 agent and the person making the expenditure.

1 “(iii) An expenditure if, in the same election
2 cycle, the person making the expenditure is or has
3 been—

4 “(I) authorized to raise or expend funds on
5 behalf of the candidate or the candidate’s au-
6 thorized committees; or

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

10 “(iv) An expenditure if the person making the
11 expenditure has advised or counseled the candidate
12 or the candidate’s agents at any time on the can-
13 didate’s plans, projects, or needs relating to the can-
14 didate’s pursuit of nomination for election, or elec-
15 tion, to Federal office, in the same election cycle, in-
16 cluding any advice relating to the candidate’s deci-
17 sion to seek Federal office.

18 “(v) An expenditure if the person making the
19 expenditure retains the professional services of any
20 individual or other person also providing services in
21 the same election cycle to the candidate in connec-
22 tion with the candidate’s pursuit of nomination for
23 election, or election, to Federal office, including any
24 services relating to the candidate’s decision to seek
25 Federal office. For purposes of this clause, the term

1 'professional services' shall include any services
2 (other than legal and accounting services solely for
3 purposes of ensuring compliance with any Federal
4 law) in support of any candidate's or candidates'
5 pursuit of nomination for election, or election, to
6 Federal office.

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

10 "(18)(A) The term 'express advocacy' means when a
11 communication is taken as a whole and with limited ref-
12 erence to external events, an expression of support for or
13 opposition to a specific candidate, to a specific group of
14 candidates, or to candidates of a particular political party.

15 "(B) The term 'expression of support for or opposi-
16 tion to' includes a suggestion to take action with respect
17 to an election, such as to vote for or against, make con-
18 tributions to, or participate in campaign activity, or to re-
19 frain from taking action."

20 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
21 tion 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amend-
22 ed—

23 (1) in clause (i), by striking "or" after the
24 semicolon at the end;

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

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

5 “(iii) any payment or other transaction referred
6 to in paragraph (17)(A)(i) that is not an independ-
7 ent expenditure under paragraph (17).”.

8 **TITLE III—MISCELLANEOUS**
9 **PROVISIONS**

10 **SEC. 301. RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR**
11 **PERSONAL PURPOSES.**

12 (a) RESTRICTIONS ON USE OF CAMPAIGN FUNDS.—
13 Title III of FECA (2 U.S.C. 431 et seq.), as amended
14 by section 213(a), is amended by adding at the end the
15 following new section:

16 “RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR
17 PERSONAL PURPOSES

18 “SEC. 326. (a) An individual who receives contribu-
19 tions as a candidate for Federal office—

20 “(1) shall use such contributions only for legiti-
21 mate and verifiable campaign expenses; and

22 “(2) shall not use such contributions for any in-
23 herently personal purpose.

24 “(b) As used in this subsection—

1 “(1) the term ‘campaign expenses’ means ex-
2 penses attributable solely to bona fide campaign pur-
3 poses; and

4 “(2) the term ‘inherently personal purpose’
5 means a purpose that, by its nature, confers a per-
6 sonal benefit, including a home mortgage rent or
7 utility payment, clothing purchase, noncampaign
8 automobile expense, country club membership, vaca-
9 tion, or trip of a noncampaign nature, household
10 food items, tuition payment, admission to a sporting
11 event, concert, theatre or other form of entertain-
12 ment not associated with a campaign, dues, fees, or
13 contributions to a health club or recreational facility
14 and any other inherently personal living expense as
15 determined under the regulations promulgated pur-
16 suant to section 302(b) of the Senate Campaign
17 Spending Limit and Election Reform Act of 1995.”.

18 (b) REGULATIONS.—Not later than 90 days after the
19 date of enactment of this Act, the Federal Election Com-
20 mission shall promulgate regulations consistent with this
21 Act to implement subsection (a). Such regulations shall
22 apply to all contributions possessed by an individual on
23 the date of enactment of this Act.

24 **SEC. 302. CAMPAIGN ADVERTISING AMENDMENTS.**

25 Section 318 of FECA (2 U.S.C. 441d) is amended—

1 (1) in subsection (a)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by striking “Whenever” and insert-
5 ing “Whenever a political committee makes
6 a disbursement for the purpose of financ-
7 ing any communication through any broad-
8 casting station, newspaper, magazine, out-
9 door advertising facility, mailing, or any
10 other type of general public political adver-
11 tising, or whenever”;

12 (ii) by striking “an expenditure” and
13 inserting “a disbursement”; and

14 (iii) by striking “direct”; and

15 (B) in paragraph (3), by inserting “and
16 permanent street address” after “name”; and

17 (2) by adding at the end the following new sub-
18 sections:

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

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

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

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

4 “(d)(1) Any broadcast or cablecast communication
5 described in subsection (a)(1) or subsection (a)(2) shall
6 include, in addition to the requirements of those sub-
7 sections, an audio statement by the candidate that identi-
8 fies the candidate and states that the candidate has ap-
9 proved the communication.

10 “(2) If a broadcast or cablecast communication de-
11 scribed in paragraph (1) is broadcast or cablecast by
12 means of television, the communication shall include, in
13 addition to the audio statement under paragraph (1), a
14 written statement which—

15 “(A) appears at the end of the communication
16 in a clearly readable manner with a reasonable de-
17 gree of color contrast between the background and
18 the printed statement, for a period of at least 4 sec-
19 onds; and

20 “(B) is accompanied by a clearly identifiable
21 photographic or similar image of the candidate.

22 “(e) Any broadcast or cablecast communication de-
23 scribed in subsection (a)(3) shall include, in addition to
24 the requirements of those subsections, in a clearly spoken
25 manner, the following statement: ‘ _____ is

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

10 **SEC. 303. FILING OF REPORTS USING COMPUTERS AND**
11 **FACSIMILE MACHINES.**

12 Section 302(g) of FECA (2 U.S.C. 432(g)) is amend-
13 ed by adding at the end the following new paragraph:

14 “(6)(A) The Commission, in consultation with
15 the Secretary of the Senate and the Clerk of the
16 House of Representatives, may prescribe regulations
17 under which persons required to file designations,
18 statements, and reports under this Act—

19 “(i) are required to maintain and file them
20 for any calendar year in electronic form acces-
21 sible by computers if the person has, or has
22 reason to expect to have, aggregate contribu-
23 tions or expenditures in excess of a threshold
24 amount determined by the Commission; and

1 “(ii) may maintain and file them in that
2 manner if not required to do so under regula-
3 tions prescribed under clause (i).

4 “(B) The Commission, in consultation with the
5 Secretary of the Senate and the Clerk of the House
6 of Representatives, shall prescribe regulations which
7 allow persons to file designations, statements, and
8 reports required by this Act through the use of fac-
9 simile machines.

10 “(C) In prescribing regulations under this para-
11 graph, the Commission shall provide methods (other
12 than requiring a signature on the document being
13 filed) for verifying designations, statements, and re-
14 ports covered by the regulations. Any document veri-
15 fied under any of the methods shall be treated for
16 all purposes (including penalties for perjury) in the
17 same manner as a document verified by signature.

18 “(D) The Secretary of the Senate and the Clerk
19 of the House of Representatives shall ensure that
20 any computer or other system that they may develop
21 and maintain to receive designations, statements,
22 and reports in the forms required or permitted
23 under this paragraph is compatible with any such
24 system that the Commission may develop and main-
25 tain.”.

1 **SEC. 304. AUDITS.**

2 (a) RANDOM AUDITS.—Section 311(b) of FECA (2
3 U.S.C. 438(b)) is amended—

4 (1) by inserting “(1)” before “The Commis-
5 sion”; and

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

8 “(2) Notwithstanding paragraph (1), the Commission
9 may after all elections are completed conduct random au-
10 dits and investigations to ensure voluntary compliance
11 with this Act. The subjects of such audits and investiga-
12 tions shall be selected on the basis of criteria established
13 by vote of at least 4 members of the Commission to ensure
14 impartiality in the selection process. This paragraph does
15 not apply to an authorized committee of a candidate for
16 President or Vice President subject to audit under title
17 VI or to an authorized committee of an eligible Senate
18 candidate or an eligible House candidate subject to audit
19 under section 522(a).”.

20 (b) EXTENSION OF PERIOD DURING WHICH CAM-
21 PAIGN AUDITS MAY BE BEGUN.—Section 311(b) of
22 FECA (2 U.S.C. 438(b)) is amended by striking “6
23 months” and inserting “12 months”.

1 **SEC. 305. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**
2 **ING PRIVILEGE.**

3 Section 3210(a)(6)(A) of title 39, United States
4 Code, is amended to read as follows:

5 “(A) A Member of Congress shall not mail
6 any mass mailing as franked mail during a year
7 in which there will be an election for the seat
8 held by the Member during the period between
9 January 1 of that year and the date of the gen-
10 eral election for that Office, unless the Member
11 has made a public announcement that the
12 Member will not be a candidate for reelection to
13 that year or for election to any other Federal
14 office.”.

15 **SEC. 306. AUTHORITY TO SEEK INJUNCTION.**

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

18 (1) by adding at the end the following new
19 paragraph:

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

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

1 “(ii) the failure to act expeditiously will result
2 in irreparable harm to a party affected by the poten-
3 tial violation;

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

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

8 the Commission may initiate a civil action for a temporary
9 restraining order or a temporary injunction pending the
10 outcome of the proceedings described in paragraphs (1),
11 (2), (3), and (4).

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

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

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

21 **SEC. 307. SEVERABILITY.**

22 If any provision of this Act, an amendment made by
23 this Act, or the application of such provision or amend-
24 ment to any person or circumstance is held to be unconsti-
25 tutional, the remainder of this Act, the amendments made

1 by this Act, and the application of the provisions of such
2 to any person or circumstance shall not be affected there-
3 by.

4 **SEC. 308. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

5 (a) DIRECT APPEAL TO SUPREME COURT.—An ap-
6 peal may be taken directly to the Supreme Court of the
7 United States from any interlocutory order or final judg-
8 ment, decree, or order issued by any court ruling on the
9 constitutionality of any provision of this Act or amend-
10 ment made by this Act.

11 (b) ACCEPTANCE AND EXPEDITION.—The Supreme
12 Court shall, if it has not previously ruled on the question
13 addressed in the ruling below, accept jurisdiction over, ad-
14 vance on the docket, and expedite the appeal to the great-
15 est extent possible.

16 **SEC. 309. REPORTING REQUIREMENTS.**

17 (a) CONTRIBUTORS.—Section 302(c)(3) of FECA (2
18 U.S.C. 432(c)(3)) is amended by striking “\$200” and in-
19 serting “\$50”.

20 (b) DISBURSEMENTS.—Section 302(c)(5) of FECA
21 (2 U.S.C. 432(c)(5)) is amended by striking “\$200” and
22 inserting “\$50”.

1 **SEC. 310. EFFECTIVE DATE.**

2 Except as otherwise provided in this Act, the amend-
3 ments made by, and the provisions of, this Act shall take
4 effect on January 1, 1997.

5 **SEC. 311. REGULATIONS.**

6 The Federal Election Commission shall prescribe any
7 regulations required to carry out this Act not later than
8 9 months after the effective date of this Act.

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