

105TH CONGRESS
1ST SESSION

H. R. 1776

To amend the Federal Election Campaign Act of 1971 to restrict the use of soft money in political campaigns, to improve the enforcement of campaign laws, to promote the disclosure of information on campaign spending, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1997

Mr. SHAYS (for himself, Mr. MEEHAN, Mr. WAMP, Mr. MORAN of Virginia, Mrs. ROUKEMA, Mr. MCHALE, Mr. HORN, Mr. BARRETT of Wisconsin, Mr. CASTLE, Mr. MINGE, Mr. LEACH, Mr. BILBRAY, Mr. CAMPBELL, Mr. DUNCAN, Mrs. MORELLA, Mr. GREENWOOD, Mr. FRANKS of New Jersey, and Mr. METCALF) introduced the following bill; which was referred to the Committee on House Oversight

A BILL

To amend the Federal Election Campaign Act of 1971 to restrict the use of soft money in political campaigns, to improve the enforcement of campaign laws, to promote the disclosure of information on campaign spending, 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 “Campaign Independ-
5 ence Restoration Act, Part I”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—SOFT MONEY

Subtitle A—Provisions Relating to Soft Money of Political Parties

- Sec. 101. Soft money of political parties.
- Sec. 102. Increase in contribution limit for individual contributions to national political parties.
- Sec. 103. Reporting requirements.
- Sec. 104. Building fund exception to the definition of the term “contribution”.

Subtitle B—Soft Money of Persons Other Than Political Parties

- Sec. 111. Soft money of persons other than political parties.

TITLE II—ENFORCEMENT AND DISCLOSURE

Subtitle A—Improving Enforcement

- Sec. 201. Audits.
- Sec. 202. Independent litigation authority.
- Sec. 203. Term limits for Federal Election Commission.
- Sec. 204. Authority to seek injunction.
- Sec. 205. Expedited procedures.
- Sec. 206. Increase in penalty for knowing and willful violations.

Subtitle B—Increasing Disclosure

- Sec. 211. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 212. Disclosure of personal and consulting services.
- Sec. 213. Mandatory electronic filing and preservation of Federal Election Commission reports.
- Sec. 214. Campaign advertising amendments.
- Sec. 215. Use of candidates’ names.
- Sec. 216. Reporting requirements.
- Sec. 217. Simultaneous registration of candidate and candidate’s principal campaign committee.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Regulations relating to use of non-federal money.
- Sec. 302. Severability.
- Sec. 303. Expedited review of constitutional issues.
- Sec. 304. Effective date.
- Sec. 305. Regulations.

1 **TITLE I—SOFT MONEY**
2 **Subtitle A—Provisions Relating to**
3 **Soft Money of Political Parties**

4 **SEC. 101. SOFT MONEY OF POLITICAL PARTIES.**

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

8 “SOFT MONEY OF POLITICAL PARTIES

9 “SEC. 323. (a) NATIONAL PARTIES.—A national
10 committee of a political party (including the national con-
11 gressional campaign committees of a political party), any
12 entity that is directly or indirectly established, financed,
13 maintained, or controlled by a national committee of a po-
14 litical party, any entity acting on behalf of a national com-
15 mittee of a political party, and any officer or agent acting
16 on behalf of such party committee or entity (other than
17 any individual or entity subject to regulation under sub-
18 section (b)) shall not solicit or receive any contributions,
19 donations, or transfers of funds, or spend any funds, not
20 subject to the limitations, prohibitions, and reporting re-
21 quirements of this Act.

22 “(b) EXPENDITURES BY STATE OR LOCAL PAR-
23 TIES.—

24 “(1) IN GENERAL.—Any amount expended or
25 disbursed by a State, district, or local committee of

1 a political party during a calendar year in which a
2 Federal election is held, for any activity which might
3 affect the outcome of a Federal election, including
4 but not limited to any voter registration or get-out-
5 the-vote activity, any generic campaign activity, and
6 any communication that refers to a candidate (re-
7 gardless of whether a candidate for State or local of-
8 fice is also mentioned or identified) shall be made
9 from funds subject to the limitations, prohibitions
10 and reporting requirements of this Act.

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

15 “(A) a contribution to a candidate for
16 State or local office, if the contribution is not
17 designated or otherwise earmarked to pay for
18 activities described in paragraph (1);

19 “(B) the costs of a State, district, or local
20 political convention;

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

1 time on activity during such month which may
2 affect the outcome of a Federal election), except
3 that for purposes of this subparagraph the non-
4 Federal share of a party committee's adminis-
5 trative and overhead expenses shall be deter-
6 mined by applying the ratio of the non-Federal
7 disbursements to the total Federal expenditures
8 and non-Federal disbursements made by the
9 committee during the previous presidential elec-
10 tion year to the committee's administrative and
11 overhead expenses in the election year in ques-
12 tion;

13 “(D) the costs of grassroots campaign ma-
14 terials, including buttons, bumper stickers, and
15 yard signs, which materials solely name or de-
16 pict a State or local candidate; or

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

22 “(3) AMOUNTS EXPENDED FOR FUNDRAISING
23 TO FINANCE ACTIVITIES.—Any amount spent by a
24 national, State, district or local committee of a polit-
25 ical party to raise funds that are used, in whole or

1 in part, to pay the costs of any activity covered by
2 paragraph (1) shall be made from funds subject to
3 the limitations, prohibitions, and reporting require-
4 ments of this Act.

5 “(4) INCLUDING ALL RELATED AND CON-
6 NECTED ENTITIES.—In this subsection, the term
7 ‘State, district, or local committee of a political
8 party’ shall include any entity that is directly or in-
9 directly established, financed, maintained, or con-
10 trolled by a State, district, or local committee of a
11 political party, and any officer or agent acting on
12 behalf of any such committee or entity.

13 “(c) PROHIBITING SOLICITATION OR DONATION OF
14 FUNDS FROM NONPROFIT ORGANIZATIONS.—No na-
15 tional, State, district or local committee of a political
16 party, including any entity described in subsection (a) or
17 subsection (b)(3) and any officer or agent acting on behalf
18 of any such party committee or entity, shall solicit any
19 funds for or make any donations to any organization that
20 is exempt from Federal taxation under section 501(c) of
21 the Internal Revenue Code of 1986.

22 “(d) ALL CANDIDATES.—

23 “(1) IN GENERAL.—No candidate for Federal
24 office, individual holding Federal office, or any agent

1 of such candidate or officeholder, may solicit, re-
2 ceive, transfer, or spend—

3 “(A) any funds in connection with any
4 Federal election unless such funds are subject
5 to the limitations, prohibitions and reporting re-
6 quirements of this Act;

7 “(B) any funds that are to be expended in
8 connection with any election for other than a
9 Federal election unless such funds are not in
10 excess of the amounts permitted with respect to
11 contributions to Federal candidates and politi-
12 cal committees under section 315(a) (1) and
13 (2), and are not from sources prohibited from
14 making contributions by this Act with respect
15 to election for Federal office; or

16 “(C) any funds on behalf of any person
17 which are not subject to the limitations, prohi-
18 bitions, and reporting requirements of this Act
19 if such funds are for the purpose of financing
20 any campaign-related activity or any commu-
21 nication which refers to a clearly identified can-
22 didate for election for Federal office.

23 “(2) EXCEPTION FOR CERTAIN ACTIVITIES.—

24 Paragraph (1) shall not apply to the solicitation or
25 receipt of funds by an individual who is a candidate

1 for a non-Federal office if the solicitation or receipt
2 of such funds is permitted under State law for such
3 individual's non-Federal campaign committee.

4 “(e) PROHIBITING FUNDRAISING ACTIVITIES FOR
5 CERTAIN NONPROFIT ORGANIZATIONS.—

6 “(1) IN GENERAL.—No candidate for Federal
7 office or individual holding Federal office may raise
8 funds for any organization described in section
9 501(c) of the Internal Revenue Code of 1986 if the
10 activities of the organization include voter registra-
11 tion or get-out-the-vote campaigns.

12 “(2) CERTAIN INDIVIDUALS TREATED AS HOLD-
13 ING FEDERAL OFFICE.—For purposes of this para-
14 graph, the term ‘individual holding Federal office’
15 includes any individual who holds a position de-
16 scribed in level I of the Executive Schedule under
17 5312 of title 5, United States Code.”.

18 **SEC. 102. INCREASE IN CONTRIBUTION LIMIT FOR INDIVID-**
19 **UAL CONTRIBUTIONS TO NATIONAL POLITI-**
20 **CAL 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 by striking “\$20,000” and inserting the following:
24 “\$20,000 (or, in the case of an individual, \$25,000)”.

1 **SEC. 103. 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 “(f)(1) A political committee other than a national
7 committee of a political party, any congressional campaign
8 committee of a political party, and any subordinate com-
9 mittee of either, to which section 323(b)(1) applies shall
10 report all receipts and disbursements.

11 “(2) Any political committee other than the commit-
12 tees of a political party shall report any receipts or dis-
13 bursements that are used in connection with a Federal
14 election.

15 “(3) 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 required in sub-
20 section (b)(3)(A), (5), or (6).

21 “(4) Reports required to be filed under this sub-
22 section shall be filed for the same time periods required
23 for political committees under subsection (a).”.

24 (b) REPORTS BY STATE COMMITTEES.—Section 304
25 of the Federal Election Campaign Act of 1971 (2 U.S.C.

1 434), as amended by subsection (a), is further amended
2 by adding at the end the following new subsection:

3 “(g) In lieu of any report required to be filed by this
4 Act, the Commission may allow a State committee of a
5 political party to file with the Commission a report re-
6 quired to be filed under State law if the Commission deter-
7 mines such reports contain substantially the same infor-
8 mation.”.

9 (c) OTHER REPORTING REQUIREMENTS.—

10 (1) AUTHORIZED COMMITTEES.—Section
11 304(b)(4) of the Federal Election Campaign Act of
12 1971 (2 U.S.C. 434(b)(4)) is amended—

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

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

17 (C) by adding at the end the following new
18 subparagraph:

19 “(J) in the case of an authorized commit-
20 tee, disbursements for the primary election, the
21 general election, and any other election in which
22 the candidate participates;”.

23 (2) NAMES AND ADDRESSES.—Section
24 304(b)(5)(A) of the Federal Election Campaign Act
25 of 1971 (2 U.S.C. 434(b)(5)(A)) is amended—

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

2 and

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

6 **SEC. 104. BUILDING FUND EXCEPTION TO THE DEFINITION**
7 **OF THE TERM “CONTRIBUTION”.**

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

10 (1) by striking clause (viii); and

11 (2) by redesignating clauses (ix) through (xiv)
12 as clauses (viii) through (xiii), respectively.

13 **Subtitle B—Soft Money of Persons**
14 **Other Than Political Parties**

15 **SEC. 111. 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 sections 103(a)
19 and 103(b), is further amended by adding at the end the
20 following new subsection:

21 “(h)(1)(A)(i) If any person to which section 323 does
22 not apply makes (or obligates to make) disbursements for
23 activities described in section 323(b)(1) in excess of
24 \$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.”.

1 **TITLE II—ENFORCEMENT AND**
2 **DISCLOSURE**
3 **Subtitle A—Improving**
4 **Enforcement**

5 **SEC. 201. AUDITS.**

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

9 (1) by inserting “(1)” before “The Commis-
10 sion”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(2) Notwithstanding paragraph (1), the Commission
14 may conduct random audits and investigations to ensure
15 voluntary compliance with this Act. The subjects of such
16 audits and investigations shall be selected on the basis of
17 criteria established by vote of at least 4 members of the
18 Commission to ensure impartiality in the selection process.
19 This paragraph does not apply to an authorized committee
20 of a candidate for President or Vice President subject to
21 audit under chapter 95 or 96 of the Internal Revenue
22 Code of 1986.”.

23 (b) **EXTENSION OF PERIOD DURING WHICH CAM-**
24 **PAIGN AUDITS MAY BE BEGUN.**—Section 311(b) of the
25 Federal Election Campaign Act of 1971 (2 U.S.C. 438(b))

1 is amended by striking out “6 months” and inserting in
2 lieu thereof “12 months”.

3 **SEC. 202. INDEPENDENT LITIGATION AUTHORITY.**

4 Section 306(f)(4) of the Federal Election Campaign
5 Act of 1971 (2 U.S.C. 437c(f)(4)) is amended to read as
6 follows:

7 “(4)(A) Notwithstanding the provisions of para-
8 graph (2) or of any other provision of law, the Com-
9 mission is authorized to appear on its own behalf in
10 any action related to the exercise of its statutory du-
11 ties or powers in any court as either a party or as
12 amicus curiae, either—

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

14 “(ii) by counsel whom it may appoint, on
15 a temporary basis as may be necessary for such
16 purpose, without regard to the provisions of
17 title 5, United States Code, governing appoint-
18 ments in the competitive service, and whose
19 compensation it may fix without regard to the
20 provisions of chapter 51 and subchapter III of
21 chapter 53 of such title, and whose compensa-
22 tion shall be paid out of any funds otherwise
23 available to pay the compensation of employees
24 of the Commission.

1 “(B) The authority granted under subpara-
2 graph (A) includes the power to appeal from, and
3 petition the Supreme Court for certiorari to review,
4 judgments or decrees entered with respect to actions
5 in which the Commission appears pursuant to the
6 authority provided in this section.”.

7 **SEC. 203. TERM LIMITS FOR FEDERAL ELECTION COMMIS-**
8 **SION.**

9 Section 306 of the Federal Election Campaign Act
10 of 1971 (2 U.S.C. 437c(a)(2)(A)) is amended by striking
11 “terms” and inserting in lieu thereof “no more than one
12 term”.

13 **SEC. 204. AUTHORITY TO SEEK INJUNCTION.**

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

16 (1) by adding at the end the following new
17 paragraph:

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

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

23 “(ii) the failure to act expeditiously will result
24 in irreparable harm to a party affected by the poten-
25 tial violation;

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

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

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

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

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

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

18 **SEC. 205. EXPEDITED PROCEDURES.**

19 Section 309(a) of Federal Election Campaign Act of
20 1971 (2 U.S.C. 437g(a)), as amended by section 204, is
21 further amended by adding at the end the following new
22 paragraph:

23 “(14)(A) If the complaint in a proceeding was filed
24 within 60 days immediately preceding a general election,

1 the Commission may take action described in this sub-
2 paragraph.

3 “(B) If the Commission determines, on the basis of
4 facts alleged in the complaint and other facts available to
5 it, that there is clear and convincing evidence that a viola-
6 tion of this Act has occurred, is occurring, or is about to
7 occur and it appears that the requirements for relief stat-
8 ed in paragraph (13)(A) (ii), (iii), and (iv) are met, the
9 Commission may—

10 “(i) order expedited proceedings, shortening the
11 time periods for proceedings under paragraphs (1),
12 (2), (3), and (4) as necessary to allow the matter to
13 be resolved in sufficient time before the election to
14 avoid harm or prejudice to the interests of the par-
15 ties; or

16 “(ii) if the Commission determines that there is
17 insufficient time to conduct proceedings before the
18 election, immediately seek relief under paragraph
19 (13)(A).

20 “(C) If the Commission determines, on the basis of
21 facts alleged in the complaint and other facts available to
22 it, that the complaint is clearly without merit, the Com-
23 mission may—

24 “(i) order expedited proceedings, shortening the
25 time periods for proceedings under paragraphs (1),

1 (2), (3), and (4) as necessary to allow the matter to
2 be resolved in sufficient time before the election to
3 avoid harm or prejudice to the interests of the par-
4 ties; or

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

8 **SEC. 206. INCREASE IN PENALTY FOR KNOWING AND WILL-**
9 **FUL VIOLATIONS.**

10 (a) VIOLATION UNDER CONCILIATION AGREE-
11 MENT.—Section 308(a)(5)(B) of the Federal Election
12 Campaign Act of 1971 (2 U.S.C. 437g(a)(5)(B)) is
13 amended by striking “the greater of \$10,000 or an
14 amount equal to 200 percent” and inserting “the greater
15 of \$15,000 or an amount equal to 300 percent”.

16 (b) VIOLATION UNDER CIVIL ACTION.—Section
17 308(a)(6)(B) of such Act (2 U.S.C. 437g(a)(6)(C)) is
18 amended by striking “the greater of \$10,000 or an
19 amount equal to 200 percent” and inserting “the greater
20 of \$15,000 or an amount equal to 300 percent”.

1 **Subtitle B—Increasing Disclosure**

2 **SEC. 211. CHANGE IN CERTAIN REPORTING FROM A CAL-** 3 **ENDAR YEAR BASIS TO AN ELECTION CYCLE** 4 **BASIS.**

5 (a) IN GENERAL.—Paragraphs (2), (3), (4), (6), and
6 (7) of section 304(b) of the Federal Election Campaign
7 Act of 1971 (2 U.S.C. 434(b) (2)–(7)) are amended by
8 inserting “(election cycle, in the case of an authorized
9 committee of a candidate for Federal office)” after “cal-
10 endar year” each place it appears.

11 (b) ELECTION CYCLE DEFINED.—Section 301 of
12 such Act (2 U.S.C. 431) is amended by adding at the end
13 the following:

14 “(20) The term ‘election cycle’ means—
15 “(A) in the case of a candidate or the au-
16 thorized committees of a candidate, the period
17 beginning on the day after the date of the most
18 recent general election for the specific office or
19 seat that the candidate seeks and ending on the
20 date of the next general election for that office
21 or seat; and

22 “(B) in the case of all other persons, the
23 period beginning on the first day following the
24 date of the last general election and ending on
25 the date of the next general election.”.

1 **SEC. 212. DISCLOSURE OF PERSONAL AND CONSULTING**
2 **SERVICES.**

3 (a) **REPORTING BY POLITICAL COMMITTEES.**—Sec-
4 tion 304(b)(5)(A) of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 434(b)(5)(A)) is amended by adding
6 before the semicolon at the end the following: “, except
7 that if a person to whom an expenditure is made by a
8 candidate or the candidate’s authorized committees is
9 merely providing personal or consulting services and is in
10 turn making expenditures to other persons (not including
11 its owners or employees) who provide goods or services to
12 the candidate or the candidate’s authorized committees,
13 the name and address of such other person, together with
14 the date, amount, and purpose of such expenditure shall
15 also be disclosed”.

16 (b) **RECORDKEEPING AND REPORTING BY PERSONS**
17 **TO WHOM EXPENDITURES ARE PASSED THROUGH.**—
18 Section 302 of the Federal Election Campaign Act of
19 1971 (2 U.S.C. 432) is amended by adding at the end
20 the following new subsection:

21 “(j) The person described in section 304(b)(5)(A)
22 who is providing personal or consulting services and who
23 is in turn making expenditures to other persons (not in-
24 cluding employees) for goods or services provided to a can-
25 didate shall maintain records of and shall provide to a po-
26 litical committee the information necessary to enable the

1 political committee to report the information described in
2 section 304(b)(5)(A).”.

3 **SEC. 213. MANDATORY ELECTRONIC FILING AND PRESER-**
4 **VATION OF FEDERAL ELECTION COMMISSION**
5 **REPORTS.**

6 (a) IN GENERAL.—Subsection 304(a)(11)(A) of the
7 Federal Election Campaign Act of 1971 (2 U.S.C.
8 434(a)(11)(A)) is amended—

9 (1) by striking out “permit reports required by”
10 and inserting in lieu thereof “require reports
11 under”; and

12 (2) by adding at the end the following new sen-
13 tences: “With respect to reports of amounts of con-
14 tributions, amounts of expenditures, or other dollar
15 amounts, the Commission may provide for excep-
16 tions to the requirement of the preceding sentence in
17 the case of small amounts, the levels of which the
18 Commission shall prescribe by regulation. Such ex-
19 ceptions shall permit filing and preservation by
20 means of electronic format or method by persons to
21 whom the exceptions apply.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 subsection (a) shall apply with respect to reports for peri-
24 ods beginning after the expiration of the 60-day period
25 which begins on the date of the enactment of this Act.

1 **SEC. 214. CAMPAIGN ADVERTISING AMENDMENTS.**

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

4 (1) in subsection (a)—

5 (A) in the matter preceding paragraph

6 (1)—

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

15 (ii) by striking “an expenditure” and
16 inserting “a disbursement”; and

17 (iii) by striking “direct”; and

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

20 (2) by adding at the end the following new sub-
21 sections:

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

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

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

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

6 “(d)(1) Any broadcast or cablecast communication
7 described in subsection (a)(1) or subsection (a)(2) shall
8 include, in addition to the requirements of those sub-
9 sections, an audio statement by the candidate that identi-
10 fies the candidate and states that the candidate is respon-
11 sible for the content of the advertisement.

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

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

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

24 “(e) Any broadcast or cablecast communication de-
25 scribed in subsection (a)(3) shall include, in addition to

1 the requirements of those subsections, in a clearly spoken
2 manner, the following statement: ‘ is
3 responsible for the content of this advertisement.’ (with
4 the blank to be filled in with the name of the political
5 committee or other person paying for the communication
6 and the name of any connected organization of the payor).
7 If broadcast or cablecast by means of television, the state-
8 ment shall also appear in a clearly readable manner with
9 a reasonable degree of color contrast between the back-
10 ground and the printed statement, for a period of at least
11 4 seconds.”.

12 **SEC. 215. USE OF CANDIDATES’ NAMES.**

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

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

19 “(B) A political committee which is not an authorized
20 committee may not—

21 “(i) include the name of any candidate in its
22 name; or

23 “(ii) except in the case of a national, State, or
24 local party committee, use the name of any can-
25 didate in any activity on behalf of such committee

1 in such a context as to suggest that the committee
2 is an authorized committee of the candidate or that
3 the use of the candidate's name has been authorized
4 by the candidate.”.

5 **SEC. 216. REPORTING REQUIREMENTS.**

6 (a) OPTION TO FILE MONTHLY REPORTS.—Section
7 304(a)(2) of the Federal Election Campaign Act of 1971
8 (2 U.S.C. 434(a)(2)) is amended—

9 (1) in subparagraph (A) by striking “and” at
10 the end;

11 (2) in subparagraph (B) by striking the period
12 at the end and inserting “; and”; and

13 (3) by inserting the following new subparagraph
14 at the end:

15 “(C) in lieu of the reports required by subpara-
16 graphs (A) and (B), the treasurer may file monthly
17 reports in all calendar years, which shall be filed no
18 later than the 20th day after the last day of the
19 month and shall be complete as of the last day of
20 the month, except that, in lieu of filing the reports
21 otherwise due in November and December of any
22 year in which a regularly scheduled general election
23 is held, a pre-primary election report and a pre-gen-
24 eral election report shall be filed in accordance with
25 subparagraph (A)(i), a post-general election report

1 shall be filed in accordance with subparagraph
2 (A)(ii), and a year end report shall be filed no later
3 than January 31 of the following calendar year.”.

4 (b) POLITICAL COMMITTEES.—Section 304(a)(4) of
5 the Federal Election Campaign Act of 1971 (2 U.S.C.
6 434(a)(4)) is amended in subparagraph (A)(i) by inserting
7 “, and except that if at any time during the election year
8 a committee receives contributions in excess of \$100,000
9 or makes disbursements in excess of \$100,000, monthly
10 reports on the 20th day of each month after the month
11 in which that amount of contributions is first received or
12 that amount of disbursements is first anticipated to be
13 made during that year” before the semicolon.

14 (c) INCOMPLETE OR FALSE CONTRIBUTOR INFORMA-
15 TION.—Section 302(i) of the Federal Election Campaign
16 Act of 1971 (2 U.S.C. 432(i)) is amended—

17 (1) by inserting “(1)” after “(i)”;

18 (2) by striking “submit” and inserting “re-
19 port”; and

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

22 “(2) A treasurer shall be considered to have used best
23 efforts under this section only if—

24 “(A) all written solicitations include a clear and
25 conspicuous request for the contributor’s identifica-

1 tion and inform the contributor of the committee’s
2 obligation to report the identification in a statement
3 prescribed by the Commission;

4 “(B) the treasurer makes at least 1 additional
5 request for the contributor’s identification for each
6 contribution received that aggregates in excess of
7 \$200 per calendar year and which does not contain
8 all of the information required by this Act; and

9 “(C) the treasurer reports all information in the
10 committee’s possession regarding contributor identi-
11 fications.”.

12 (d) WAIVER.—Section 304 of the Federal Election
13 Campaign Act of 1971 (2 U.S.C. 434), as amended by
14 sections 103(a), 103(b), and 111, is further amended by
15 adding at the end the following new subsection:

16 “(i) The Commission may relieve any category of po-
17 litical committees of the obligation to file 1 or more re-
18 ports required by this section, or may change the due
19 dates of such reports, if it determines that such action
20 is consistent with the purposes of this Act. The Commis-
21 sion may waive requirements to file reports in accordance
22 with this subsection through a rule of general applicability
23 or, in a specific case, may waive or extend the due date
24 of a report by notifying all political committees affected.”.

1 **SEC. 217. SIMULTANEOUS REGISTRATION OF CANDIDATE**
2 **AND CANDIDATE'S PRINCIPAL CAMPAIGN**
3 **COMMITTEE.**

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

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

10 **SEC. 301. REGULATIONS RELATING TO USE OF NON-FED-**
11 **ERAL MONEY.**

12 Section 306 of the Federal Election Campaign Act
13 of 1971 (2 U.S.C. 437c) is amended by adding at the end
14 the following new subsection:

15 “(g) The Commission shall promulgate regulations to
16 prohibit devices or arrangements which have the purpose
17 or effect of undermining or evading the provisions of this
18 Act restricting the use of non-Federal money to affect
19 Federal elections.”.

20 **SEC. 302. SEVERABILITY.**

21 If any provision of this Act, an amendment made by
22 this Act, or the application of such provision or amend-
23 ment to any other person or circumstance is held to be
24 unconstitutional, the remainder of this Act, the amend-
25 ments made by this Act, and the application of the provi-

1 sions of such to any other person or circumstance shall
2 not be affected thereby.

3 **SEC. 303. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

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

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

15 **SEC. 304. 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 60 days after the date of the enactment of this Act.

19 **SEC. 305. REGULATIONS.**

20 The Federal Election Commission shall prescribe any
21 regulations required to carry out this Act not later than
22 9 months after the effective date of this Act.

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