

105TH CONGRESS  
1ST SESSION

# S. 25

To reform the financing of Federal elections.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. MCCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Mr. WELLSTONE, Mr. GRAHAM, Mr. KERREY, Mr. DODD, Mr. KERRY, Mr. BINGAMAN, Mr. GLENN, Mrs. MURRAY, Mr. KOHL, Mr. WYDEN, Ms. MOSELEY-BRAUN, Mr. REID, Mr. FORD, Mr. LEAHY, Mr. CLELAND, Mr. JOHNSON, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To reform the financing of Federal elections.

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 “Bipartisan Campaign Reform Act of 1997”.

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

Sec. 1. Short title; 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.
- Sec. 106. Reporting requirement for Senate candidates.

## TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE

### Subtitle A—Political Action Committees

- Sec. 201. Ban on political action committee contributions to Federal candidates.

### Subtitle B—Provisions Relating to Soft Money of Political Party Committees

- Sec. 211. Soft money of political party committee.
- Sec. 212. State party grassroots funds.
- Sec. 213. Reporting requirements.

### 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—Independent Expenditures

- Sec. 241. Reporting requirements for certain independent expenditures.

## TITLE III—ENFORCEMENT

- Sec. 301. Filing of reports using computers and facsimile machines.
- Sec. 302. Audits.
- Sec. 303. Authority to seek injunction.
- Sec. 304. Reporting requirements for contributions of \$50 or more.
- Sec. 305. Increase in penalty for knowing and willful violations.
- Sec. 306. Prohibition of contributions by individuals not qualified to vote.
- Sec. 307. Use of candidates' names.
- Sec. 308. Prohibition of false representation to solicit contributions.
- Sec. 309. Expedited procedures.

## TITLE IV—MISCELLANEOUS

- Sec. 401. Use of contributed amounts for certain purposes.
- Sec. 402. Campaign advertising.
- Sec. 403. Limit on congressional use of the franking privilege.
- Sec. 404. Party independent expenditures.
- Sec. 405. Coordinated expenditures; independent expenditures.
- Sec. 406. Express advocacy.

## TITLE V—CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

- Sec. 501. Severability.
- Sec. 502. Review of constitutional issues.
- Sec. 503. Effective date.
- Sec. 504. 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.—The Federal Election Campaign  
 7 Act of 1971 is amended by adding at the end the following  
 8 new title:

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

12 **“SEC. 501. DEFINITIONS.**

13 “In this title:

14 “(1) ELIGIBLE SENATE CANDIDATE.—The term  
 15 ‘eligible Senate candidate’ means a candidate who  
 16 the Commission has certified under section 505 as  
 17 an eligible primary election Senate candidate or as  
 18 an eligible general election Senate candidate.

19 “(2) GENERAL ELECTION EXPENDITURE  
 20 LIMIT.—The term ‘general election expenditure  
 21 limit’, with respect to an eligible Senate candidate,  
 22 means the limit applicable to the eligible Senate can-  
 23 didate under section 503(d).

24 “(3) OUT-OF-STATE RESIDENT CONTRIBUTION  
 25 LIMIT.—The term ‘out-of-State resident contribution

1 limit', with respect to an eligible Senate candidate,  
 2 means the limit applicable to the candidate under  
 3 section 502(e).

4 “(4) PERSONAL FUNDS EXPENDITURE LIMIT.—  
 5 The term ‘personal funds expenditure limit’ means  
 6 the limit stated in section 503(a).

7 “(5) PRIMARY ELECTION EXPENDITURE  
 8 LIMIT.—The term ‘primary election expenditure  
 9 limit’, with respect to an eligible Senate candidate,  
 10 means the limit applicable to the eligible Senate can-  
 11 didate under section 503(b).

12 “(6) RUNOFF ELECTION EXPENDITURE  
 13 LIMIT.—The term ‘runoff election expenditure limit’,  
 14 with respect to an eligible Senate candidate, means  
 15 the limit applicable to the eligible Senate candidate  
 16 under section 503(c).

17 **“SEC. 502. ELIGIBLE SENATE CANDIDATES.**

18 “(a) IN GENERAL.—A candidate is—

19 “(1) an eligible primary election Senate can-  
 20 didate if the Commission certifies under section 505  
 21 that the candidate—

22 “(A) has met the primary election filing re-  
 23 quirement of subsection (b); and

24 “(B) has met the threshold contribution  
 25 requirement of subsection (d); and

1           “(2) an eligible general election Senate can-  
2           didate if the Commission certifies under section 505  
3           that the candidate—

4                   “(A) has met the general election filing re-  
5                   quirement of subsection (c); and

6                   “(B) has been certified as an eligible pri-  
7                   mary election Senate candidate.

8           “(b) PRIMARY ELECTION FILING REQUIREMENT.—

9                   “(1) IN GENERAL.—The requirement of this  
10                  subsection is met if the candidate files with the  
11                  Commission a declaration that—

12                   “(A) the candidate and the candidate’s au-  
13                   thorized committees—

14                           “(i)(I) will not exceed the personal  
15                           funds expenditure limit, primary election  
16                           expenditure limit, runoff election expendi-  
17                           ture limit, or general election expenditure  
18                           limit; and

19                           “(II) will accept only amounts of con-  
20                           tributions for the primary election, any  
21                           runoff election, and the general election  
22                           that do not exceed the primary election ex-  
23                           penditure limit, runoff election expenditure  
24                           limit, and general election expenditure  
25                           limit (reduced by any amount transferred

1 to the current election cycle from a preced-  
2 ing election); and

3 “(ii) will not accept contributions for  
4 the primary election, any runoff election,  
5 or the general election that would cause  
6 the candidate to exceed the out-of-State  
7 resident contribution limit; and

8 “(B) at least 1 other candidate has quali-  
9 fied for the same primary election ballot under  
10 the law of the candidate’s State.

11 “(2) DEADLINE FOR FILING GENERAL ELEC-  
12 TION DECLARATION.—The declaration under para-  
13 graph (1) shall be filed not later than 7 days after  
14 the earlier of—

15 “(A) the date on which the candidate  
16 qualifies for the general election ballot under  
17 State law; or

18 “(B) if under State law, a primary or run-  
19 off election to qualify for the general election  
20 ballot occurs after September 1, the date on  
21 which the candidate wins the primary or runoff  
22 election.

23 “(d) THRESHOLD CONTRIBUTION REQUIREMENT.—

24 “(1) IN GENERAL.—The requirement of this  
25 subsection is met—

1           “(A) if the candidate and the candidate’s  
2 authorized committees have received allowable  
3 contributions during the applicable period in an  
4 amount at least equal to the lesser of—

5                   “(i) 10 percent of the general election  
6 expenditure limit; or

7                   “(ii) \$250,000; and

8           “(B) the candidate files with the Commis-  
9 sion a statement under penalty of perjury that  
10 the requirement of subparagraph (A) has been  
11 met, with supporting materials demonstrating  
12 that the requirement has been met.

13           “(2) DEFINITIONS.—In this subsection:

14                   “(A) ALLOWABLE CONTRIBUTION.—

15                           “(i) IN GENERAL.—The term ‘allow-  
16 able contribution’ means a contribution  
17 that is made as a gift of money by an indi-  
18 vidual pursuant to a written instrument  
19 identifying the individual as the contribu-  
20 tor.

21                           “(ii) EXCLUSIONS.—The term ‘allow-  
22 able contribution’ does not include a con-  
23 tribution from—

1                   “(I) an individual residing out-  
 2                   side the candidate’s State to the ex-  
 3                   tent that acceptance of the contribu-  
 4                   tion would bring a candidate out of  
 5                   compliance with subsection (e); or

6                   “(II) a source described in sec-  
 7                   tion 503(a)(2).

8                   “(B) APPLICABLE PERIOD.—The term ‘ap-  
 9                   plicable period’ means—

10                   “(i) the period beginning on January  
 11                   1 of the calendar year preceding the cal-  
 12                   endar year of a general election and ending  
 13                   on the date on which the declaration under  
 14                   subsection (b) is filed by the candidate; or

15                   “(ii) in the case of a special election  
 16                   for the office of United States Senator, the  
 17                   period beginning on the date on which the  
 18                   vacancy in the office occurs and ending on  
 19                   the date of the general election.

20                   “(e) OUT-OF-STATE RESIDENT CONTRIBUTION  
 21                   LIMIT.—

22                   “(1) REQUIREMENT.—

23                   “(A) IN GENERAL.—The requirement of  
 24                   this subsection is met if at least 60 percent of  
 25                   the total amount of contributions accepted by



1 the candidate and the candidate’s authorized  
2 committees are from individuals who are legal  
3 residents of the candidate’s State.

4 “(B) SPECIAL RULE FOR SMALL  
5 STATES.—In the case of a candidate to which  
6 the general election expenditure limit under sec-  
7 tion 503(d)(1)(B)(i) applies, the requirement of  
8 this subsection is met if, at the option of the  
9 candidate—

10 “(i) at least 60 percent of the total  
11 amount of contributions accepted by the  
12 candidate and the candidate’s authorized  
13 committees are from individuals who are  
14 legal residents of the candidate’s State; or

15 “(ii) at least 60 percent of the num-  
16 ber of individuals whose names are re-  
17 ported to the Commission as individuals  
18 from whom the candidate and the can-  
19 didate’s authorized committees accept con-  
20 tributions are legal residents of the can-  
21 didate’s State.

22 “(2) PERSONAL FUNDS.—For purposes of para-  
23 graph (1), amounts consisting of funds from sources

1 described in section 503(a) shall be treated as con-  
2 tributions from individuals residing outside the can-  
3 didate's State.

4 “(3) TIME FOR MEETING REQUIREMENT.—The  
5 aggregate amount of contributions received by an el-  
6 igible Senate candidate as of the end of each report-  
7 ing period under section 304 shall meet the require-  
8 ment of paragraph (1).

9 “(4) REPORTING REQUIREMENTS.—In addition  
10 to information required to be reported under section  
11 304, a candidate that elects to comply with the re-  
12 quirements of paragraph (1)(B)(ii) shall include in  
13 each report required to be filed under section 304  
14 the name and address of and the amount of con-  
15 tributions made by each individual that, during the  
16 calendar year in which the reporting period occurs,  
17 makes contributions aggregating \$20 or more.

18 **“SEC. 503. EXPENDITURE LIMITS.**

19 “(a) PERSONAL FUNDS EXPENDITURE LIMIT.—

20 “(1) IN GENERAL.—The aggregate amount of  
21 expenditures that may be made during an election  
22 cycle by an eligible Senate candidate or the can-  
23 didate's authorized committees from the sources de-  
24 scribed in paragraph (2) shall not exceed the lesser  
25 of—

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

3           “(B) \$250,000.

4           “(2) SOURCES.—A source is described in this  
5           paragraph if the source is—

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

8           or

9           “(B) proceeds of indebtedness incurred by  
10          the candidate or a member of the candidate’s  
11          immediate family.

12          “(b) PRIMARY ELECTION EXPENDITURE LIMIT.—

13          The aggregate amount of expenditures for a primary elec-  
14          tion by an eligible primary election Senate candidate and  
15          the candidate’s authorized committees shall not exceed the  
16          lesser of—

17                 “(1) 67 percent of the general election expendi-  
18                 ture limit; or

19                 “(2) \$2,750,000.

20          “(c) RUNOFF ELECTION EXPENDITURE LIMIT.—The

21          aggregate amount of expenditures for a runoff election by  
22          an eligible primary election Senate candidate and the can-  
23          didate’s authorized committees shall not exceed 20 percent  
24          of the general election expenditure limit.

25          “(d) GENERAL ELECTION EXPENDITURE LIMIT.—

1           “(1) IN GENERAL.—Except as otherwise pro-  
2           vided in this title, the aggregate amount of expendi-  
3           tures for a general election by an eligible general  
4           election Senate candidate and the candidate’s au-  
5           thorized committees shall not exceed the lesser of—

6                   “(A) \$5,500,000; or

7                   “(B) the greater of—

8                           “(i) \$950,000; or

9                           “(ii) \$400,000; plus

10                               “(I) 30 cents multiplied by the

11                               voting age population not in excess of

12                               4,000,000; and

13                               “(II) 25 cents multiplied by the

14                               voting age population in excess of

15                               4,000,000.

16           “(2) EXCEPTION.—In the case of an eligible  
17           Senate candidate in a State that has not more than  
18           1 transmitter for a commercial Very High Fre-  
19           quency (VHF) television station licensed to operate  
20           in that State, paragraph (1)(B)(ii) shall be applied  
21           by substituting—

22                   “(A) ‘80 cents’ for ‘30 cents’ in subclause

23                   (I); and

24                   “(B) ‘70 cents’ for ‘25 cents’ in subclause

25                   (II).

1       “(e) EXCEPTIONS FOR COMPLYING CANDIDATES  
2 RUNNING AGAINST NONCOMPLYING CANDIDATES.—

3           “(1) FUNDRAISING IN ANTICIPATION OF IN-  
4 CREASE.—Notwithstanding any other provision of  
5 this title, if any opponent of an eligible Senate can-  
6 didate is a noneligible candidate who—

7                   “(A) has received contributions; or

8                   “(B) has made expenditures from a source  
9           described in subsection (a);

10       in an aggregate amount equal to 50 percent of the  
11       primary election expenditure limit, runoff election  
12       expenditure limit, or general election expenditure  
13       limit, the eligible Senate candidate may accept con-  
14       tributions in excess of the primary election expendi-  
15       ture limit, runoff election expenditure limit, or gen-  
16       eral election expenditure limit (as the case may be)  
17       so long as the eligible Senate candidate does not  
18       make any expenditures with such excess contribu-  
19       tions before becoming entitled to an increase in the  
20       limit under paragraph (2) or (3).

21           “(2) 50 PERCENT INCREASE.—If any opponent  
22       of an eligible Senate candidate is a noneligible can-  
23       didate who has made expenditures in an aggregate  
24       amount equal to 105 percent of the primary election  
25       expenditure limit, runoff election expenditure limit,

1 or general election expenditure limit, the primary  
2 election expenditure limit, runoff election expendi-  
3 ture limit, or general election expenditure limit (as  
4 the case may be of the eligible Senate candidate)  
5 shall be increased by 50 percent.

6 “(3) 100 PERCENT INCREASE.—If any oppo-  
7 nent of an eligible Senate candidate is a noneligible  
8 candidate who has made expenditures in an aggre-  
9 gate amount equal to 155 percent of the primary  
10 election expenditure limit, runoff election expendi-  
11 ture limit, or general election expenditure limit, the  
12 primary election expenditure limit, runoff election  
13 expenditure limit, or general election expenditure  
14 limit (as the case may be of the eligible Senate can-  
15 didate) shall be increased by 100 percent.

16 “(f) EXPENDITURES IN RESPONSE TO INDEPENDENT  
17 EXPENDITURES.—If an eligible Senate candidate is noti-  
18 fied by the Commission under section 304(c)(4) that inde-  
19 pendent expenditures in an aggregate amount of \$10,000  
20 or more have been made in the same election in support  
21 of another candidate or against the eligible Senate can-  
22 didate, the eligible Senate candidate shall be permitted to  
23 spend an amount equal to the amount of the independent

1 expenditures, and any such expenditures shall not be sub-  
2 ject to any limit applicable under this title to the eligible  
3 candidate for the election.

4 “(g) INDEXING.—The amounts under subsections  
5 (b)(1) and (d)(1) shall be increased as of the beginning  
6 of each calendar year based on the increase in the price  
7 index determined under section 315(c), except that the  
8 base period shall be calendar year 1997.

9 “(h) PAYMENT OF TAXES.—The primary election ex-  
10 penditure limit, runoff election expenditure limit, and gen-  
11 eral election expenditure limit shall not apply to any ex-  
12 penditure for Federal, State, or local taxes with respect  
13 to earnings on contributions raised.

14 “(i) NOTICE OF FAILURE TO COMPLY WITH RE-  
15 QUIREMENTS.—A candidate who filed a declaration under  
16 section 502 and subsequently acts in a manner that is in-  
17 consistent with any of the statements made in the declara-  
18 tion shall, not later than 24 hours after the first of the  
19 acts—

20 “(1) file with the Commission a notice describ-  
21 ing those acts; and

22 “(2) notify all other candidates for the same of-  
23 fice by sending a copy of the notice by certified mail,  
24 return receipt requested.

1 **“SEC. 504. BENEFITS FOR ELIGIBLE CANDIDATES.**

2 “If an eligible Senate candidate has an opponent who  
3 has qualified for the ballot and who has received contribu-  
4 tions (or expended funds from a source described in sec-  
5 tion 503(a)(2)) in an amount equal to 10 percent or more  
6 of the applicable expenditure limit, the eligible Senate can-  
7 didate shall be entitled to—

8 “(1) the broadcast media rates provided under  
9 section 315(b) of the Communications Act of 1934;

10 “(2) the free broadcast time provided under  
11 section 315(c) of the Communications Act of 1934;  
12 and

13 “(3) the reduced postage rates provided in sec-  
14 tion 3626(e) of title 39, United States Code.

15 **“SEC. 505. CERTIFICATION BY COMMISSION.**

16 “(a) IN GENERAL.—The Commission shall determine  
17 whether a candidate has met the requirements of this title  
18 and, based on the determination, issue a certification stat-  
19 ing whether the candidate is an eligible Senate candidate  
20 entitled to receive benefits under this title.

21 “(b) CERTIFICATION.—

22 “(1) PRIMARY ELECTION.—Not later than 7  
23 business days after a candidate files a declaration  
24 under section 502(b), the Commission shall deter-  
25 mine whether the candidate meets the eligibility re-  
26 quirements of section 502(b)(1) and, if so, certify



1 that the candidate is an eligible primary election  
2 Senate candidate entitled to receive benefits under  
3 this title.

4 “(2) GENERAL ELECTION.—Not later than 7  
5 business days after a candidate files a declaration  
6 under section 502(c), the Commission shall deter-  
7 mine whether the candidate meets the eligibility re-  
8 quirement of section 502(c)(1), and, if so, certify  
9 that the candidate is an eligible general election Sen-  
10 ate candidate entitled to receive benefits under this  
11 title.

12 “(c) REVOCATION.—

13 “(1) IN GENERAL.—The Commission shall re-  
14 voke a certification under subsection (a), based on  
15 information submitted in such form and manner as  
16 the Commission may require or on information that  
17 comes to the Commission by other means, if the  
18 Commission determines that a candidate—

19 “(A) violates any of the expenditure limits  
20 contained in this title by making an aggregate  
21 amount of expenditures that exceeds any appli-  
22 cable expenditure limit by 5 percent or more;

23 “(B) uses a benefit made available to a  
24 candidate under this title in a manner not pro-  
25 vided for in this title; or

1           “(C) fails to continue to meet the require-  
2           ment of this title.

3           “(2) NO FURTHER BENEFITS.—A candidate  
4           whose certification has been revoked shall be ineli-  
5           gible for any further benefits made available under  
6           this title for the duration of the election cycle.

7           “(d) DETERMINATIONS BY COMMISSION.—A deter-  
8           mination (including a certification under subsection (a))  
9           made by the Commission under this title shall be final,  
10          except to the extent that the determination is subject to  
11          examination and audit by the Commission under section  
12          506 and to judicial review.

13          **“SEC. 506. MISUSE OF BENEFITS.**

14          “(a) MISUSE OF BENEFITS.—If the Commission re-  
15          vokes the certification of an eligible Senate candidate, the  
16          Commission shall so notify the candidate, and the can-  
17          didate shall pay to the provider of any benefit received  
18          by the candidate under this title an amount equal to the  
19          difference between the amount the candidate paid for such  
20          benefit and the amount the candidate would have paid for  
21          the benefit if the candidate were not an eligible Senate  
22          candidate.

23          “(b) CIVIL PENALTIES.—

24                  “(1) LOW AMOUNT OF EXCESS EXPENDI-  
25                  TURES.—Any eligible Senate candidate who makes

1 expenditures that exceed a limitation under this title  
2 by 2.5 percent or less shall pay to the Commission  
3 an amount equal to the amount of the excess ex-  
4 penditures.

5 “(2) MEDIUM AMOUNT OF EXCESS EXPENDI-  
6 TURES.—Any eligible Senate candidate who makes  
7 expenditures that exceed a limitation under this title  
8 by more than 2.5 percent and less than 5 percent  
9 shall pay to the Commission an amount equal to 3  
10 times the amount of the excess expenditures.

11 “(3) LARGE AMOUNT OF EXCESS EXPENDI-  
12 TURES.—Any eligible Senate candidate who makes  
13 expenditures that exceed a limitation under this title  
14 by 5 percent or more shall pay to the Commission  
15 an amount equal to 3 times the amount of the ex-  
16 cess expenditures plus a civil penalty to be imposed  
17 pursuant to section 309.”

18 (b) EXPENDITURES MADE BEFORE EFFECTIVE  
19 DATE.—An expenditure shall not be counted as an ex-  
20 penditure for purposes of the expenditure limits contained  
21 in the amendment made by subsection (a) if the expendi-  
22 ture is made before the date that is 60 days after the date  
23 of enactment of this Act.

1 **SEC. 102. FREE BROADCAST TIME.**

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

4 (1) in the third sentence of subsection (a) by  
5 striking “within the meaning of this subsection” and  
6 inserting “within the meaning of this subsection and  
7 subsection (c)”;

8 (2) by redesignating subsections (c) and (d) as  
9 subsections (d) and (e), respectively;

10 (3) by inserting after subsection (b) the follow-  
11 ing:

12 “(c) FREE BROADCAST TIME.—

13 “(1) IN GENERAL.—Except as provided in para-  
14 graph (3), each eligible Senate candidate who has  
15 qualified for the general election ballot as a can-  
16 didate of a major or minor party shall be entitled to  
17 receive a total of 30 minutes of free broadcast time  
18 from broadcasting stations within the candidate’s  
19 State or an adjacent State.

20 “(2) TIME.—

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

1           “(B) LENGTH OF BROADCAST.—Except as  
2 otherwise provided in this Act, a candidate may  
3 use such time as the candidate elects, but time  
4 may not be used in lengths of less than 30 sec-  
5 onds or more than 5 minutes.

6           “(C) MAXIMUM REQUIRED OF ANY ONE  
7 STATION.—A candidate may not request that  
8 more than 15 minutes of free broadcast time be  
9 aired by any one broadcasting station.

10          “(3) MORE THAN 2 CANDIDATES.—In the case  
11 of an election among more than 2 candidates de-  
12 scribed in paragraph (1), only 60 minutes of broad-  
13 cast time shall be available for all such candidates,  
14 and broadcast time shall be allocated as follows:

15           “(A) MINOR PARTY CANDIDATES.—The  
16 amount of broadcast time that shall be provided  
17 to the candidate of a minor party shall be equal  
18 to 60 minutes multiplied by the percentage of  
19 the number of popular votes received by the  
20 candidate of that party in the preceding general  
21 election for the Senate in the State (or if sub-  
22 section (e)(4)(B) applies, the percentage deter-  
23 mined under that subsection).

1           “(B) MAJOR PARTY CANDIDATES.—The  
2           amount of broadcast time remaining after as-  
3           signment of broadcast time to minor party can-  
4           didates under clause (i) shall be allocated equal-  
5           ly between the major party candidates.

6           “(4) ONLY 1 CANDIDATE.—In the case of an  
7           election in which only 1 candidate qualifies to be on  
8           the general election ballot, no time shall be required  
9           to be provided by a broadcasting station under this  
10          subsection.

11          “(5) EXEMPTION.—The Federal Election Com-  
12          mission shall by regulation establish a procedure to  
13          exempt from the requirements of this subsection—

14                 “(A) licensees the signals of which are  
15                 broadcast substantially nationwide; and

16                 “(B) licensees that establish that the re-  
17                 quirements of this subsection would impose a  
18                 significant economic hardship on the licens-  
19                 ees.”; and

20                 (4) in subsection (d) (as redesignated by para-  
21          graph (2))—

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

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

1 (C) by adding at the end the following:

2 “(3) the term ‘major party’ means, with respect  
3 to an election for the United States Senate in a  
4 State, a political party whose candidate for the Unit-  
5 ed States Senate in the preceding general election  
6 for the Senate in that State received, as a candidate  
7 of that party, 25 percent or more of the number of  
8 popular votes received by all candidates for the Sen-  
9 ate;

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

13 “(A) whose candidate for the United  
14 States Senate in the preceding general election  
15 for the Senate in that State received 5 percent  
16 or more but less than 25 percent of the number  
17 of popular votes received by all candidates for  
18 the Senate; or

19 “(B) whose candidate for the United  
20 States Senate in the current general election for  
21 the Senate in that State has obtained the signa-  
22 tures of at least 5 percent of the State’s reg-  
23 istered voters, as determined by the chief voter  
24 registration official of the State, in support of

1 a petition for an allocation of free broadcast  
2 time under this subsection; and

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

7 (d) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect on the date that is 60 days  
9 after the date of enactment of this Act.

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

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

13 (1) by striking “(b) The charges” and inserting  
14 the following:

15 “(b) BROADCAST MEDIA RATES.—

16 “(1) IN GENERAL.—The charges”;

17 (2) by redesignating paragraphs (1) and (2) as  
18 subparagraphs (A) and (B), respectively, and adjust-  
19 ing the margins accordingly;

20 (3) in paragraph (1)(A) (as redesignated by  
21 paragraph (2))—

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

24 (B) by striking “lowest unit charge of the  
25 station for the same class and amount of time



1 for the same period” and inserting “lowest  
2 charge of the station for the same amount of  
3 time for the same period on the same date”;  
4 and

5 (4) by adding at the end the following:

6 “(2) SENATE CANDIDATES.—

7 “(A) ELIGIBLE SENATE CANDIDATES.—In  
8 the case of an eligible Senate candidate (within  
9 the meaning of section 501 of the Federal Elec-  
10 tion Campaign Act), the charges for the use of  
11 a television broadcasting station during the 30-  
12 day period and 60-day period referred to in  
13 paragraph (1)(A) shall not exceed 50 percent of  
14 the lowest charge described in paragraph  
15 (1)(A).

16 “(B) NONELIGIBLE SENATE CAN-  
17 DIDATES.—In the case of a candidate for the  
18 United States Senate who is not an eligible  
19 Senate candidate, paragraph (1)(A) shall not  
20 apply.”.

21 (b) PREEMPTION; ACCESS.—Section 315 of the Com-  
22 munications Act of 1934 (47 U.S.C. 315), as amended by  
23 section 102(a), is amended—

1           (1) by redesignating subsections (d) and (e) (as  
2           redesignated by section 102(a)(2)), as subsections  
3           (e) and (f), respectively; and

4           (2) by inserting after subsection (c) the follow-  
5           ing:

6           “(d) PREEMPTION.—

7           “(1) IN GENERAL.—Except as provided in para-  
8           graph (2), a licensee shall not preempt the use, dur-  
9           ing any period specified in subsection (b)(1)(A), of  
10          a broadcasting station by an eligible Senate can-  
11          didate who has purchased and paid for such use  
12          pursuant to subsection (b)(2).

13          “(2) CIRCUMSTANCES BEYOND CONTROL OF LI-  
14          CENSEE.—If a program to be broadcast by a broad-  
15          casting station is preempted because of cir-  
16          cumstances beyond the control of the broadcasting  
17          station, any candidate advertising spot scheduled to  
18          be broadcast during that program may also be pre-  
19          empted.”.

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

23                 (1) by striking “or repeated”;

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

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

5           (d) **EFFECTIVE DATE.**—The amendments made by  
6 this section shall take effect on the date that is 60 days  
7 after the date of enactment of this Act.

8 **SEC. 104. REDUCED POSTAGE RATES.**

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

11           (1) in paragraph (2)—

12           (A) in subparagraph (A)—

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

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

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

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

23           (D) by adding at the end the following:

1           “(D) the term ‘principal campaign committee’  
2           has the meaning given in section 301 of the Federal  
3           Election Campaign Act of 1971; and

4           “(E) the term ‘eligible Senate candidate’ has  
5           the meaning given in section 501 of the Federal  
6           Election Campaign Act of 1971.”; and

7           (2) by adding after paragraph (2) the following:

8           “(3) The rate made available under this subsection  
9           with respect to an eligible Senate candidate shall apply  
10          only to that number of pieces of mail that is equal to 2  
11          times the number of individuals in the voting age popu-  
12          lation (as certified under section 315(e) of the Federal  
13          Election Campaign Act of 1971) of the State.”.

14          (b) EFFECTIVE DATE.—The amendments made by  
15          this section shall take effect on the date that is 60 days  
16          after the date of enactment of this Act.

17       **SEC. 105. CONTRIBUTION LIMIT FOR ELIGIBLE SENATE**  
18                               **CANDIDATES.**

19          Section 315(a)(1) of the Federal Election Campaign  
20          Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

21               (1) in subparagraph (A), by inserting “except  
22               as provided in subparagraph (B),” before “to”;

23               (2) by redesignating subparagraphs (B) and  
24               (C) as subparagraphs (C) and (D), respectively; and

1           (3) by inserting after subparagraph (A) the fol-  
2           lowing:

3           “(B) if the general election expenditure limit,  
4           primary election expenditure limit, or runoff limit  
5           election expenditure limit applicable to an eligible  
6           Senate candidate has been increased under section  
7           503(d), to the eligible Senate candidate and the au-  
8           thorized political committees of the candidate with  
9           respect to any election for the office of United  
10          States Senator, which, in the aggregate, exceed  
11          \$2,000;”.

12 **SEC. 106. REPORTING REQUIREMENT FOR SENATE CAN-**  
13 **DIDATES.**

14          (a) CONTRIBUTIONS BY IN-STATE RESIDENTS.—Sec-  
15          tion 304(b)(2) of the Federal Election Campaign Act of  
16          1971 (2 U.S.C. 434(b)(2)) is amended—

17               (1) by striking “and” at the end of subpara-  
18               graph (J);

19               (2) by striking the period at the end of sub-  
20               paragraph (K) and inserting “; and”; and

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

22                       “(L) in the case of an eligible Senate can-  
23                       didate, the total amount of contributions from  
24                       individuals who are residents of the State in  
25                       which the candidate seeks office.”.

1 (b) REPORTS BY SENATE CANDIDATES.—Section  
 2 304 of the Federal Election Campaign Act of 1971 (2  
 3 U.S.C. 434) (as amended by section 221) is amended by  
 4 adding at the end the following:

5 “(h) SENATE CANDIDATES.—

6 “(1) EXPENDITURES OF PERSONAL FUNDS.—

7 “(A) IN GENERAL.—A candidate for the  
 8 Senate who during an election cycle makes ex-  
 9 penditures from sources described in section  
 10 503(a)(2) in excess of the personal funds ex-  
 11 penditure limit under 503(a) shall report the  
 12 expenditures to the Commission within 48  
 13 hours after the expenditures have been made.

14 “(B) ADDITIONAL REPORTS.—A candidate  
 15 shall file an additional report within 48 hours  
 16 after the date on which the candidate makes ex-  
 17 penditures for the general election from sources  
 18 described in section 503(a)(2) that in the ag-  
 19 gregate exceed 25 percent of the general elec-  
 20 tion expenditure limit.

21 “(2) EXPENDITURES OF PERSONAL FUNDS BY  
 22 A SENATE CANDIDATE WHO IS NOT AN ELIGIBLE  
 23 CANDIDATE.—

24 “(A) IN GENERAL.—A primary election  
 25 Senate candidate or general election Senate

1 candidate who is not certified as an eligible can-  
2 didate under section 505 and who has received  
3 contributions or made expenditures from  
4 sources described in section 503(a)(2) in an ag-  
5 gregate amount that exceeds 50 percent of the  
6 general election expenditure limit shall file a re-  
7 port with the Commission within 48 hours after  
8 that amount of contributions have been received  
9 or expenditures have been made.

10 “(B) ADDITIONAL REPORTS.—A primary  
11 election Senate candidate or general election  
12 Senate candidate shall file an additional report  
13 within 48 hours after the candidate has re-  
14 ceived contributions or made expenditures from  
15 sources described in section 503(a)(2) in an ag-  
16 gregate amount that exceeds 105 percent or  
17 155 percent of the applicable expenditure limits.

18 “(3) NOTIFICATION.—Within 48 hours after a  
19 report is filed under paragraph (1) or (2), the Com-  
20 mission shall notify each eligible Senate candidate in  
21 the election of the filing.

22 “(4) REPORT AND NOTIFICATION REQUIRE-  
23 MENTS WITHIN 20 DAYS OF AN ELECTION.—

24 “(A) REPORTS.—If any act which requires  
25 the filing of any report under paragraphs (1) or

1 (2) occurs after the 20th day, but more than 24  
 2 hours before an election, the report shall be  
 3 filed by the candidate within 24 hours of the  
 4 occurrence of the act.

5 “(B) NOTIFICATION.—For any such report  
 6 filed under this subsection, the Commission  
 7 shall notify the appropriate eligible Senate can-  
 8 didate within 24 hours after the filing of such  
 9 report.

10 **TITLE II—REDUCTION OF**  
 11 **SPECIAL INTEREST INFLUENCE**  
 12 **Subtitle A—Political Action**  
 13 **Committees**

14 **SEC. 201. BAN ON POLITICAL ACTION COMMITTEE CON-**  
 15 **TRIBUTIONS TO FEDERAL CANDIDATES.**

16 (a) IN GENERAL.—Title III of the Federal Election  
 17 Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended  
 18 by adding at the end the following:

19 **“SEC. 324. BAN ON POLITICAL ACTION COMMITTEE CON-**  
 20 **TRIBUTIONS TO FEDERAL CANDIDATES.**

21 “Notwithstanding any other provision of this Act, no  
 22 person other than an individual or a political committee  
 23 may make a contribution to a candidate or candidate’s au-  
 24 thorized committee.”.

25 (b) DEFINITION OF POLITICAL COMMITTEE.—



1           (1) SECTION 301(4).—Section 301(4) of the  
2 Federal Election Campaign Act of 1971 (2 U.S.C.  
3 431(4)) is amended to read as follows:

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

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

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

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

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

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

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

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

1           the purpose of conducting joint fundraising ac-  
2           tivities.”.

3           (2) SECTION 316(b)(2).—Section 316(b)(2) of  
4           the Federal Election Campaign Act of 1971 (2  
5           U.S.C. 441b(b)(2)) is amended—

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

7                   (B) by striking “and their families; and”  
8                   and inserting “and their families.”; and

9                   (C) by striking subparagraph (C).

10          (c) CANDIDATE’S COMMITTEES.—

11           (1) CONTRIBUTIONS TO AUTHORIZED COMMIT-  
12          TEE.—Section 315(a) of the Federal Election Cam-  
13          paign Act of 1971 (2 U.S.C. 441a(a)) is amended by  
14          adding at the end the following:

15                   “(9) For the purposes of the limitations pro-  
16          vided by paragraphs (1) and (2), any political com-  
17          mittee that is established, financed, maintained, or  
18          controlled, directly or indirectly, by any candidate or  
19          Federal officeholder shall be deemed to be an au-  
20          thorized committee of such candidate or office-  
21          holder.”.

22           (2) DESIGNATION OF AUTHORIZED COMMIT-  
23          TEE.—Section 302(e)(3) of the Federal Election  
24          Campaign Act of 1971 (2 U.S.C. 432) is amended

1 by striking paragraph (3) and inserting the follow-  
2 ing:

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

6 “(A) a candidate for the office of President  
7 nominated by a political party may designate  
8 the national committee of such political party  
9 as the candidate’s principal campaign commit-  
10 tee, if that national committee maintains sepa-  
11 rate books of account with respect to its func-  
12 tions as a principal campaign committee; and

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

17 (d) RULES APPLICABLE WHEN BAN NOT IN EF-  
18 FECT.—For purposes of the Federal Election Campaign  
19 Act of 1971 (2 U.S.C. 431 et seq.), during any period  
20 beginning after the effective date in which the limitation  
21 under section 324 (as added by subsection (a)) is not in  
22 effect—

23 (1) the amendments made by subsections (a),  
24 (b), and (c) shall not be in effect; and

1           (2)(A) it shall be unlawful for a candidate for  
2 election, or nomination for election, to the Senate or  
3 an authorized committee of a Senate candidate to  
4 accept a contribution from a multicandidate political  
5 committee or an intermediary or conduit (within the  
6 meaning of paragraph (8)), to the extent that the  
7 making or accepting of the contribution would cause  
8 the aggregate amount of contributions received by  
9 the candidate and the candidate's authorized com-  
10 mittees from multicandidate political committees,  
11 intermediaries, and conduits to exceed 20 percent of  
12 the primary election expenditure limit, runoff elec-  
13 tion expenditure limit, or general election expendi-  
14 ture limit (as those terms are defined in section  
15 501) that is applicable (or, if the candidate were an  
16 eligible Senate candidate (as defined in section 501),  
17 would be applicable) to the candidate, and a can-  
18 didate shall return to the contributor the excess of  
19 any contributions received over the amount of con-  
20 tributions allowed to be accepted under this subpara-  
21 graph; and

22           (B) it shall be unlawful for a political commit-  
23 tee, intermediary, or conduit to make a contribution  
24 to any candidate or an authorized committee of a  
25 candidate that, in the aggregate, exceeds the amount

1 that an individual is permitted, under section  
 2 315(a), to make directly to the candidate and can-  
 3 didate’s authorized committees.

4 **Subtitle B—Provisions Relating to**  
 5 **Soft Money of Political Party**  
 6 **Committees**

7 **SEC. 211. SOFT MONEY OF POLITICAL PARTY COMMITTEE.**

8 Title III of the Federal Election Campaign Act of  
 9 1971 (2 U.S.C. 431 et seq.) (as amended by section 201)  
 10 is amended by adding at the end the following:

11 **“SEC. 325. SOFT MONEY OF PARTY COMMITTEES.**

12 “(a) NATIONAL COMMITTEES.—A national commit-  
 13 tee of a political party (including a national congressional  
 14 campaign committee of a political party), an entity that  
 15 is directly or indirectly established, financed, maintained,  
 16 or controlled by a national committee or its agent, an en-  
 17 tity acting on behalf of a national committee, and an offi-  
 18 cer or agent acting on behalf of any such committee or  
 19 entity (but not including an entity regulated under sub-  
 20 section (b)) shall not solicit or receive any contributions,  
 21 donations, or transfers of funds, or spend any funds, that  
 22 are not subject to the limitations, prohibitions, and report-  
 23 ing requirements of this Act.

24 “(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

1           “(1) IN GENERAL.—Any amount that is ex-  
2           pended or disbursed by a State, district, or local  
3           committee of a political party (including an entity  
4           that is directly or indirectly established, financed,  
5           maintained, or controlled by a State, district, or  
6           local committee of a political party and an officer or  
7           agent acting on behalf of any such committee or en-  
8           tity) during a calendar year in which a Federal elec-  
9           tion is held, for any activity that might affect the  
10          outcome of a Federal election, including any voter  
11          registration or get-out-the-vote activity, any generic  
12          campaign activity, and any communication that re-  
13          fers to a candidate (regardless of whether a can-  
14          didate for State or local office is also mentioned or  
15          identified) shall be made from funds subject to the  
16          limitations, prohibitions, and reporting requirements  
17          of this Act.

18           “(2) ACTIVITY EXCLUDED FROM PARAGRAPH  
19          (1).—

20           “(A) IN GENERAL.—Paragraph (1) shall  
21          not apply to an expenditure or disbursement  
22          made by a State, district, or local committee of  
23          a political party for—

24                   “(i) a contribution to a candidate for  
25                  State or local office if the contribution is

1 not designated or otherwise earmarked to  
2 pay for an activity described in paragraph  
3 (1);

4 “(ii) the costs of a State, district, or  
5 local political convention;

6 “(iii) the non-Federal share of a  
7 State, district, or local party committee’s  
8 administrative and overhead expenses (but  
9 not including the compensation in any  
10 month of any individual who spends more  
11 than 20 percent of the individual’s time on  
12 activity during the month that may affect  
13 the outcome of a Federal election) except  
14 that for purposes of this paragraph, the  
15 non-Federal share of a party committee’s  
16 administrative and overhead expenses shall  
17 be determined by applying the ratio of the  
18 non-Federal disbursements to the total  
19 Federal expenditures and non-Federal dis-  
20 bursements made by the committee during  
21 the previous presidential election year to  
22 the committee’s administrative and over-  
23 head expenses in the election year in ques-  
24 tion;

1           “(iv) the costs of grassroots campaign  
2 materials, including buttons, bumper stick-  
3 ers, and yard signs that name or depict  
4 only a candidate for State or local office;  
5 and

6           (v) the cost of any campaign activity  
7 conducted solely on behalf of a clearly  
8 identified candidate for State or local of-  
9 fice, if the candidate activity is not an ac-  
10 tivity described in paragraph (1).

11           “(B) FUNDRAISING COSTS.—Any amount  
12 spent by a national, State, district, or local  
13 committee, by an entity that is established, fi-  
14 nanced, maintained, or controlled by a State,  
15 district, or local committee of a political party,  
16 or by an agent or officer of any such committee  
17 or entity to raise funds that are used, in whole  
18 or in part, to pay the costs of an activity de-  
19 scribed in paragraph (1) shall be made from  
20 funds subject to the limitations, prohibitions,  
21 and reporting requirements of this Act.

22           “(c) TAX-EXEMPT ORGANIZATIONS.—A national,  
23 State, district, or local committee of a political party (in-  
24 cluding a national congressional campaign committee of  
25 a political party, an entity that is directly or indirectly



1 established, financed, maintained, or controlled by any  
2 such national, State, district, or local committee or its  
3 agent, an agent acting on behalf of any such party com-  
4 mittee, and an officer or agent acting on behalf of any  
5 such party committee or entity), shall not solicit any funds  
6 for or make any donations to an organization that is ex-  
7 empt from Federal taxation under section 501(c) of the  
8 Internal Revenue Code of 1986.

9 “(d) CANDIDATES.—

10 “(1) IN GENERAL.—A candidate, individual  
11 holding Federal office, or agent of a candidate or in-  
12 dividual holding Federal office shall not—

13 “(A) solicit, receive, transfer, or spend  
14 funds in connection with an election for Federal  
15 office unless the funds are subject to the limita-  
16 tions, prohibitions, and reporting requirements  
17 of this Act;

18 “(B) solicit, receive, or transfer funds that  
19 are to be expended in connection with any elec-  
20 tion other than a Federal election unless the  
21 funds—

22 “(i) are not in excess of the amounts  
23 permitted with respect to contributions to  
24 candidates and political committees under  
25 section 315(a) (1) and (2); and

1                   “(ii) are not from sources prohibited  
2                   by this Act from making contributions with  
3                   respect to an election for Federal office; or  
4                   “(C) solicit, receive, or transfer any funds  
5                   on behalf of any person that are not subject to  
6                   the limitations, prohibitions, and reporting re-  
7                   quirements of the Act if the funds are for use  
8                   in financing any campaign-related activity or  
9                   any communication that refers to a clearly iden-  
10                  tified candidate for Federal office.

11                  “(2) EXCEPTION.—Paragraph (1) does not  
12                  apply to the solicitation or receipt of funds by an in-  
13                  dividual who is a candidate for a State or local office  
14                  if the solicitation or receipt of funds is permitted  
15                  under State law for the individual’s State or local  
16                  campaign committee.”.

17 **SEC. 212. STATE PARTY GRASSROOTS FUNDS.**

18                  (a)           INDIVIDUAL           CONTRIBUTIONS.—Section  
19                  315(a)(1) of the Federal Election Campaign Act of 1971  
20                  (2 U.S.C. 441a(a)(1)) (as amended by section 105) is  
21                  amended—

22                         (1) in subparagraph (C) by striking “or” at the  
23                         end;

24                         (2) by redesignating subparagraph (D) as sub-  
25                         paragraph (E); and

1           (3) by inserting after subparagraph (C) the fol-  
2           lowing:

3           “(D) to—

4                   “(i) a State Party Grassroots Fund estab-  
5                   lished and maintained by a State committee of  
6                   a political party in any calendar year which, in  
7                   the aggregate, exceed \$20,000;

8                   “(ii) any other political committee estab-  
9                   lished and maintained by a State committee of  
10                   a political party in any calendar year which, in  
11                   the aggregate, exceed \$5,000;

12           except that the aggregate contributions described in  
13           this subparagraph that may be made by a person to  
14           the State Party Grassroots Fund and all committees  
15           of a State Committee of a political party in any  
16           State in any calendar year shall not exceed \$20,000;  
17           or”.

18           (b) LIMITS.—

19                   (1) IN GENERAL.—Section 315(a) of the Fed-  
20                   eral Election Campaign Act of 1971 (2 U.S.C.  
21                   441a(a)) is amended by striking paragraph (3) and  
22                   inserting the following:

23                   “(3) OVERALL LIMITS.—

1           “(A) INDIVIDUAL LIMIT.—No individual  
2 shall make contributions during any calendar  
3 year that, in the aggregate, exceed \$30,000.

4           “(B) CALENDAR YEAR.—No individual  
5 shall make contributions during any calendar  
6 year—

7                   “(i) to all candidates and their au-  
8 thorized political committees that, in the  
9 aggregate, exceed \$25,000; or

10                   “(ii) to all political committees estab-  
11 lished and maintained by State committees  
12 of a political party that, in the aggregate,  
13 exceed \$20,000.

14           “(C) NONELECTION YEARS.—For purposes  
15 of subparagraph (B)(i), any contribution made  
16 to a candidate or the candidate’s authorized po-  
17 litical committees in a year other than the cal-  
18 endar year in which the election is held with re-  
19 spect to which the contribution is made shall be  
20 treated as being made during the calendar year  
21 in which the election is held.”.

22           (c) DEFINITIONS.—Section 301 of the Federal Elec-  
23 tion Campaign Act of 1970 (2 U.S.C. 431) is amended  
24 by adding at the end the following:

1           “(20) The term ‘generic campaign activity’  
2           means a campaign activity that promotes a political  
3           party and does not refer to any particular Federal  
4           or non-Federal candidate.

5           “(21) The term ‘State Party Grassroots Fund’  
6           means a separate segregated fund established and  
7           maintained by a State committee of a political party  
8           solely for purposes of making expenditures and other  
9           disbursements described in section 326(d).”.

10          (d) STATE PARTY GRASSROOTS FUNDS.—Title III of  
11 the Federal Election Campaign Act of 1971 (2 U.S.C. 431  
12 et seq.) (as amended by section 211) is amended by adding  
13 at the end the following:

14          **“SEC. 326. STATE PARTY GRASSROOTS FUNDS.**

15          “(a) DEFINITION.—In this section, the term ‘State  
16 or local candidate committee’ means a committee estab-  
17 lished, financed, maintained, or controlled by a candidate  
18 for other than Federal office.

19          “(b) TRANSFERS.—Notwithstanding section  
20 315(a)(4), no funds may be transferred by a State com-  
21 mittee of a political party from its State Party Grassroots  
22 Fund to any other State Party Grassroots Fund or to any  
23 other political committee, except a transfer may be made  
24 to a district or local committee of the same political party  
25 in the same State if the district or local committee—

1           “(1) has established a separate segregated fund  
2 for the purposes described in subsection (d); and

3           “(2) uses the transferred funds solely for those  
4 purposes.

5           “(c) AMOUNTS RECEIVED BY GRASSROOTS FUNDS  
6 FROM STATE AND LOCAL CANDIDATE COMMITTEES.—

7           “(1) IN GENERAL.—Any amount received by a  
8 State Party Grassroots Fund from a State or local  
9 candidate committee for expenditures described in  
10 subsection (d) that are for the benefit of that can-  
11 didate shall be treated as meeting the requirements  
12 of 325(b)(1) and section 304(d) if—

13           “(A) the amount is derived from funds  
14 which meet the requirements of this Act with  
15 respect to any limitation or prohibition as to  
16 source or dollar amount specified in section  
17 315(a) (1)(A) and (2)(A)(i); and

18           “(B) the State or local candidate commit-  
19 tee—

20           “(i) maintains, in the account from  
21 which payment is made, records of the  
22 sources and amounts of funds for purposes  
23 of determining whether those requirements  
24 are met; and

1                   “(ii) certifies that the requirements  
2                   were met.

3                   “(2) DETERMINATION OF COMPLIANCE.—For  
4                   purposes of paragraph (1)(A), in determining wheth-  
5                   er the funds transferred meet the requirements of  
6                   this Act described in paragraph (1)(A)—

7                   “(A) a State or local candidate commit-  
8                   tee’s cash on hand shall be treated as consisting  
9                   of the funds most recently received by the com-  
10                  mittee; and

11                  “(B) the committee must be able to dem-  
12                  onstrate that its cash on hand contains funds  
13                  meeting those requirements sufficient to cover  
14                  the transferred funds.

15                  “(3) REPORTING.—Notwithstanding paragraph  
16                  (1), any State Party Grassroots Fund that receives  
17                  a transfer described in paragraph (1) from a State  
18                  or local candidate committee shall be required to  
19                  meet the reporting requirements of this Act, and  
20                  shall submit to the Commission all certifications re-  
21                  ceived, with respect to receipt of the transfer from  
22                  the candidate committee.

1       “(d) DISBURSEMENTS AND EXPENDITURES.—A  
 2 State committee of a political party may make disburse-  
 3 ments and expenditures from its State Party Grassroots  
 4 Fund only for—

5           “(1) any generic campaign activity;

6           “(2) payments described in clauses (v), (x), and  
 7 (xii) of paragraph (8)(B) and clauses (iv), (viii), and  
 8 (ix) of paragraph (9)(B) of section 301;

9           “(3) subject to the limitations of section  
 10 315(d), payments described in clause (xii) of para-  
 11 graph (8)(B), and clause (ix) of paragraph (9)(B),  
 12 of section 301 on behalf of candidates other than for  
 13 President and Vice President;

14           “(4) voter registration; and

15           “(5) development and maintenance of voter files  
 16 during an even-numbered calendar year.”.

17 **SEC. 213. REPORTING REQUIREMENTS.**

18       (a) REPORTING REQUIREMENTS.—Section 304 of the  
 19 Federal Election Campaign Act of 1971 (2 U.S.C. 434)  
 20 (as amended by section 241) is amended by adding at the  
 21 end the following:

22       “(e) POLITICAL COMMITTEES.—

23           “(1) NATIONAL AND CONGRESSIONAL POLITI-  
 24 CAL COMMITTEES.—The national committee of a po-  
 25 litical party, any congressional campaign committee



1 of a political party, and any subordinate committee  
2 of either, shall report all receipts and disbursements  
3 during the reporting period, whether or not in con-  
4 nection with an election for Federal office.

5 “(2) OTHER POLITICAL COMMITTEES TO WHICH  
6 SECTION 325 APPLIES.—A political committee (not  
7 described in paragraph (1)) to which section  
8 325(b)(1) applies shall report all receipts and dis-  
9 bursements made for activities described in section  
10 325(b) (1) and (2)(iii).

11 “(3) OTHER POLITICAL COMMITTEES.—Any po-  
12 litical committee to which paragraph (1) or (2) does  
13 not apply shall report any receipts or disbursements  
14 that are used in connection with a Federal election.

15 “(4) ITEMIZATION.—If a political committee  
16 has receipts or disbursements to which this sub-  
17 section applies from any person aggregating in ex-  
18 cess of \$200 for any calendar year, the political  
19 committee shall separately itemize its reporting for  
20 such person in the same manner as required in para-  
21 graphs (3)(A), (5), and (6) of subsection (b).

22 “(5) REPORTING PERIODS.—Reports required to be  
23 filed under this subsection shall be filed for the same time  
24 periods required for political committees under  
25 subsection (a).”.

1 (b) BUILDING FUND EXCEPTION TO THE DEFINI-  
2 TION OF CONTRIBUTION.—Section 301(8) of the Federal  
3 Election Campaign Act of 1971 (2 U.S.C. 431(8)) is  
4 amended—

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

6 (2) by redesignating clauses (ix) through (xiv)  
7 as clauses (viii) through (xiii), respectively.

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

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

18 (d) OTHER REPORTING REQUIREMENTS.—

19 (1) AUTHORIZED COMMITTEES.—Section  
20 304(b)(4) of the Federal Election Campaign Act of  
21 1971 (2 U.S.C. 434(b)(4)) is amended—

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

24 (B) by inserting “and” at the end of sub-  
25 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 by in-  
10 sserting “, and the election to which the operating ex-  
11 penditure relates” after “operating expenditure”.

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

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

16 Section 304 of the Federal Election Campaign Act  
17 of 1971 (2 U.S.C. 434) (as amended by section 213) is  
18 amended by adding at the end the following:

19 “(f) ELECTION ACTIVITY OF PERSONS OTHER THAN  
20 POLITICAL PARTIES.—

21 “(1) IN GENERAL.—A person other than a com-  
22 mittee of a political party that makes aggregate dis-  
23 bursements totaling in excess of \$10,000 for activi-  
24 ties described in paragraph (2) shall file a statement  
25 with the Commission—

1           “(A) within 48 hours after the disburse-  
2           ments are made; or

3           “(B) in the case of disbursements that are  
4           made within 20 days of an election, within 24  
5           hours after the disbursements are made.

6           “(2) ACTIVITY.—The activity described in this  
7           paragraph is—

8           “(A) any activity described in section  
9           316(b)(2)(A) that refers to any candidate for  
10          Federal office, any political party, or any Fed-  
11          eral election; and

12          “(B) any activity described in subpara-  
13          graph (B) or (C) of section 316(b)(2).

14          “(3) ADDITIONAL STATEMENTS.—An additional  
15          statement shall be filed each time additional dis-  
16          bursements aggregating \$10,000 are made by a per-  
17          son described in paragraph (1).

18          “(4) APPLICABILITY.—This subsection does not  
19          apply to—

20          “(A) a candidate or a candidate’s author-  
21          ized committees; or

22          “(B) an independent expenditure.

1           “(5) CONTENTS.—A statement under this sec-  
2           tion shall contain such information about the dis-  
3           bursements as the Commission shall prescribe, in-  
4           cluding—

5                     “(A) the name and address of the person  
6                     or entity to whom the disbursement was made;

7                     “(B) the amount and purpose of the dis-  
8                     bursement; and

9                     “(C) if applicable, whether the disburse-  
10                    ment was in support of, or in opposition to, a  
11                    candidate or a political party, and the name of  
12                    the candidate or the political party.”.

### 13           **Subtitle D—Contributions**

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

16           Section 315(a)(8) of the Federal Election Campaign  
17   Act of 1971 (2 U.S.C. 441a(a)(8)) is amended by striking  
18   paragraph (8) and inserting the following:

19                   “(8) INTERMEDIARIES AND CONDUITS.—

20                   “(A) DEFINITIONS.—In this paragraph:

21                             “(i) ACTING ON BEHALF OF THE EN-  
22                             TITY.—The term ‘acting on behalf of the  
23                             entity’ means soliciting one or more con-  
24                             tributions—

25                                     “(I) in the name of an entity;

1           “(II) using other than incidental  
2 resources of an entity; or

3           “(III) by directing a significant  
4 portion of the solicitations to other of-  
5 ficers, employees, agents, or members  
6 of an entity or their spouses, or by so-  
7 liciting a significant portion of the  
8 other officers, employees, agents, or  
9 members of an entity or their spouses.

10           “(ii) BUNDLER.—The term ‘bundler’  
11 means an intermediary or conduit that de-  
12 livers contributions made by other persons,  
13 and that is any of the following persons:

14           “(I) A political committee (other  
15 than the authorized campaign com-  
16 mittee of the candidate receiving the  
17 funds) or an officer, employee or  
18 agent of a political committee.

19           “(II) A corporation, labor organi-  
20 zation, or partnership or an officer,  
21 employee, or agent of a corporation,  
22 labor organization, or partnership,  
23 acting on behalf of the corporation,  
24 labor organization, or partnership.

1                   “(III) A person required to be  
2 listed as a lobbyist on a registration  
3 or other report filed pursuant to the  
4 Lobbying Disclosure Act of 1995 (2  
5 U.S.C. 1601 et seq.) or any successor  
6 law that requires reporting on the ac-  
7 tivities of a person who is a lobbyist  
8 or foreign agent.

9                   “(iii) DELIVER.—The term ‘deliver’  
10 means to deliver contributions to a can-  
11 didate by any method used or suggested by  
12 a bundler that communicates to the can-  
13 didate (or to the person who receives the  
14 contributions on behalf of the candidate)  
15 that the bundler collected the contributions  
16 for the candidate, including such methods  
17 as—

18                                   “(I) personal delivery;

19                                   “(II) United States mail or simi-  
20 lar services;

21                                   “(III) messenger service; and

22                                   “(IV) collection at an event or re-  
23 ception.

24                   “(B) TREATMENT AS CONTRIBUTIONS  
25 FROM PERSONS BY WHOM MADE.—

1           “(i) IN GENERAL.—For purposes of  
2           the limitations imposed by this section, all  
3           contributions made by a person, either di-  
4           rectly or indirectly, on behalf of a can-  
5           didate, including contributions that are in  
6           any way earmarked or otherwise directed  
7           through an intermediary or conduit to the  
8           candidate, shall be treated as contributions  
9           from the person to the candidate.

10           “(ii) REPORTING.—The intermediary  
11           or conduit through which a contribution is  
12           made shall report the name of the original  
13           contributor and the intended recipient of  
14           the contribution to the Commission and to  
15           the intended recipient.

16           “(C) TREATMENT AS CONTRIBUTIONS  
17           FROM THE BUNDLER.—Contributions that a  
18           bundler delivers to a candidate, agent of the  
19           candidate, or the candidate’s authorized com-  
20           mittee shall be treated as contributions from  
21           the bundler to the candidate as well as from the  
22           original contributor.

23           “(D) NO LIMITATION ON OR PROHIBITION  
24           OF CERTAIN ACTIVITIES.—This subsection does  
25           not—



1           “(i) limit fundraising efforts for the  
2           benefit of a candidate that are conducted  
3           by another candidate or Federal office-  
4           holder; or

5           “(ii) prohibit an officer, employee, or  
6           agent of a corporation, labor organization,  
7           or partnership from soliciting, collecting,  
8           or delivering a contribution to a candidate,  
9           agent of the candidate, or the candidate’s  
10          authorized committee if the officer, em-  
11          ployee, or agent does so by use of the per-  
12          sonal resources of the officer, employee, or  
13          agent and is not acting on behalf of the  
14          corporation, labor organization, or partner-  
15          ship.”.

## 16                           **Subtitle E—Independent** 17                           **Expenditures**

### 18   **SEC. 241. REPORTING REQUIREMENTS FOR CERTAIN INDE-** 19                           **PENDENT EXPENDITURES.**

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

22                   (1) in paragraph (2), by striking the undesig-  
23                   nated matter after subparagraph (C);

24                   (2) by redesignating paragraph (3) as para-  
25                   graph (7); and

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

3           “(d) TIME FOR REPORTING CERTAIN EXPENDI-  
4           TURES.—

5           “(1) EXPENDITURES AGGREGATING \$1,000.—

6           “(A) INITIAL REPORT.—A person (includ-  
7           ing a political committee) that makes independ-  
8           ent expenditures aggregating \$1,000 or more  
9           after the 20th day, but more than 24 hours, be-  
10          fore an election shall file a report describing the  
11          expenditures within 24 hours after that amount  
12          of independent expenditures has been made.

13          “(B) ADDITIONAL REPORTS.—After a per-  
14          son files a report under subparagraph (A), the  
15          person filing the report shall file an additional  
16          report each time that independent expenditures  
17          aggregating an additional \$1,000 are made with  
18          respect to the same election as that to which  
19          the initial report relates.

20          “(2) EXPENDITURES AGGREGATING \$10,000.—

21          “(A) INITIAL REPORT.—A person (includ-  
22          ing a political committee) that makes independ-  
23          ent expenditures aggregating \$10,000 or more  
24          at any time up to and including the 20th day  
25          before an election shall file a report describing

1 the expenditures within 48 hours after that  
2 amount of independent expenditures has been  
3 made.

4 “(B) ADDITIONAL REPORTS.—After a per-  
5 son files a report under subparagraph (A), the  
6 person filing the report shall file an additional  
7 report each time that independent expenditures  
8 aggregating an additional \$10,000 are made  
9 with respect to the same election as that to  
10 which the initial report relates.

11 “(3) PLACE OF FILING; CONTENTS; TRANSMIT-  
12 TAL.—

13 “(A) PLACE OF FILING; CONTENTS.—A re-  
14 port under this subsection—

15 “(i) shall be filed with the Commis-  
16 sion; and

17 “(ii) shall contain the information re-  
18 quired by subsection (b)(6)(B)(iii), includ-  
19 ing the name of each candidate whom an  
20 expenditure is intended to support or op-  
21 pose.

22 “(B) TRANSMITTAL TO CANDIDATES.—In  
23 the case of an election for United States Sen-  
24 ator, not later than 2 business days after re-  
25 ceipt of a report under this subsection, the

1 Commission shall transmit a copy of the report  
2 to each eligible candidate seeking nomination  
3 for election to, or election to, the office in ques-  
4 tion.

5 “(4) OBLIGATION TO MAKE EXPENDITURE.—  
6 For purposes of this subsection, an expenditure shall  
7 be treated as being made on the making of any pay-  
8 ment or the taking of any action to incur an obliga-  
9 tion for payment.

10 “(5) DETERMINATIONS BY THE COMMISSION.—

11 “(A) IN GENERAL.—The Commission may,  
12 upon a request of a candidate or on its own ini-  
13 tiative, make its own determination that a per-  
14 son, including a political committee, has made,  
15 or has incurred obligations to make, independ-  
16 ent expenditures with respect to any candidate  
17 in any Federal election that in the aggregate  
18 exceed the applicable amounts under paragraph  
19 (1) or (2).

20 “(B) NOTIFICATION.—In the case of inde-  
21 pendent expenditures made in connection with  
22 an election in which an eligible Senate can-  
23 didate is on the ballot, the Commission shall  
24 notify each candidate in the election of the

1 making of the determination within 2 business  
 2 days after making the determination.

3 “(C) TIME TO COMPLY WITH REQUEST  
 4 FOR DETERMINATION.—A determination made  
 5 at the request of a candidate shall be made  
 6 within 2 business days after the date of the re-  
 7 quest.

8 “(6) NOTIFICATION OF AN ALLOWABLE IN-  
 9 CREASE IN INDEPENDENT EXPENDITURE LIMIT.—  
 10 When independent expenditures totaling in the ag-  
 11 gregate \$10,000 have been made in the same elec-  
 12 tion in support of an opposing candidate or against  
 13 an eligible Senate candidate, the Commission shall,  
 14 within 2 business days, notify the eligible Senate  
 15 candidate that the eligible Senate candidate is enti-  
 16 tled under section 503(e) to an increase in the appli-  
 17 cable expenditure limit in an amount equal to the  
 18 amount of the independent expenditures.”.

## 19 **TITLE III—ENFORCEMENT**

### 20 **SEC. 301. FILING OF REPORTS USING COMPUTERS AND** 21 **FACSIMILE MACHINES.**

22 Section 302(a) of the Federal Election Campaign Act  
 23 of 1971 (2 U.S.C. 434(a)) is amended by striking para-  
 24 graph (11) and inserting at the end the following:

1           “(11)(A) The Commission may prescribe regu-  
2           lations under which persons required to file designa-  
3           tions, statements, and reports under this Act—

4                   “(i) are required to maintain and file a  
5           designation, statement, or report for any cal-  
6           endar year in electronic form accessible by com-  
7           puters if the person has, or has reason to ex-  
8           pect to have, aggregate contributions or expend-  
9           itures in excess of a threshold amount deter-  
10          mined by the Commission; and

11                   “(ii) may maintain and file a designation,  
12          statement, or report in that manner if not re-  
13          quired to do so under regulations prescribed  
14          under clause (i).

15           “(B) The Commission shall prescribe regula-  
16          tions which allow persons to file designations, state-  
17          ments, and reports required by this Act through the  
18          use of facsimile machines.

19           “(C) In prescribing regulations under this para-  
20          graph, the Commission shall provide methods (other  
21          than requiring a signature on the document being  
22          filed) for verifying designations, statements, and re-  
23          ports covered by the regulations. Any document veri-  
24          fied under any of the methods shall be treated for

1 all purposes (including penalties for perjury) in the  
2 same manner as a document verified by signature.”.

3 **SEC. 302. AUDITS.**

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

7 (1) by inserting “(1)” before “The Commis-  
8 sion”; and

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

10 “(2) RANDOM AUDITS.—

11 “(A) IN GENERAL.—Notwithstanding para-  
12 graph (1), the Commission may conduct ran-  
13 dom audits and investigations to ensure vol-  
14 untary compliance with this Act.

15 “(B) SELECTION OF SUBJECTS.—The ag-  
16 gregate amount of contributions received by an  
17 eligible Senate candidate as of the end of each  
18 reporting period under section 304 shall meet  
19 the requirement of paragraph (1).

20 “(C) LIMITATION.—The Commission shall  
21 not conduct an audit or investigation of a can-  
22 didate’s authorized committee under paragraph  
23 (1) until the candidate is no longer a candidate  
24 for the office sought by the candidate in an  
25 election cycle.

1           “(D) APPLICABILITY.—This paragraph  
2           does not apply to an authorized committee of a  
3           candidate for President or Vice President sub-  
4           ject to audit under section 9007 or 9038 of the  
5           Internal Revenue Code of 1986.”.

6           (b) EXTENSION OF PERIOD DURING WHICH CAM-  
7 PAIGN AUDITS MAY BE BEGUN.—Section 311(b) of the  
8 Federal Election Campaign Act of 1971 (2 U.S.C. 438(b))  
9 is amended by striking “6 months” and inserting “12  
10 months”.

11 **SEC. 303. AUTHORITY TO SEEK INJUNCTION.**

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

14           (1) by adding at the end the following:

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

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

20           “(ii) the failure to act expeditiously will result  
21 in irreparable harm to a party affected by the poten-  
22 tial violation;

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



1           “(iv) the public interest would be best served by  
2           the issuance of an injunction;  
3 the Commission may initiate a civil action for a temporary  
4 restraining order or a preliminary injunction pending the  
5 outcome of the proceedings described in paragraphs (1),  
6 (2), (3), and (4).

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

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

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

16 **SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBU-**  
17 **TIONS OF \$50 OR MORE.**

18           Section 304(b)(3)(A) of the Federal Election Cam-  
19 paign Act at 1971 (2 U.S.C. 434(b)(3)(A) is amended—

20           (1) by striking “\$200” and inserting “\$50”;  
21 and

22           (2) by striking the semicolon and inserting “,  
23 except that in the case of a person who makes con-  
24 tributions aggregating at least \$50 but not more

1 than \$200 during the calendar year, the identifica-  
 2 tion need include only the name and address of the  
 3 person”.

4 **SEC. 305. INCREASE IN PENALTY FOR KNOWING AND WILL-**  
 5 **FUL VIOLATIONS.**

6 Section 309(a)(5)(B) of the Federal Election Cam-  
 7 paign Act of 1971 (2 U.S.C. 437g(a)(5)(B)) is amended  
 8 by striking “the greater of \$10,000 or an amount equal  
 9 to 200 percent” and inserting “the greater of \$15,000 or  
 10 an amount equal to 300 percent”.

11 **SEC. 306. PROHIBITION OF CONTRIBUTIONS BY INDIVID-**  
 12 **UALS NOT QUALIFIED TO VOTE.**

13 (a) PROHIBITION.—Section 319 of the Federal Elec-  
 14 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended—

15 (1) in the heading by adding “AND INDIVID-  
 16 UALS NOT QUALIFIED TO REGISTER TO  
 17 VOTE” at the end; and

18 (2) in subsection (a)—

19 (A) by striking “(a) It shall” and inserting  
 20 the following:

21 “(a) PROHIBITIONS.—

22 “(1) FOREIGN NATIONALS.—It shall”; and

23 (B) by adding at the end the following:

24 “(2) INDIVIDUALS NOT QUALIFIED TO VOTE.—

25 It shall be unlawful for an individual who is not

1 qualified to register to vote in a Federal election to  
2 make a contribution, or to promise expressly or  
3 impliedly to make a contribution, in connection with  
4 a Federal election; or for any person to solicit, ac-  
5 cept, or receive a contribution in connection with a  
6 Federal election from an individual who is not quali-  
7 fied to register to vote in a Federal election.”.

8 (b) INCLUSION IN DEFINITION OF IDENTIFICA-  
9 TION.—Section 301(13) of the Federal Election Campaign  
10 Act of 1971 (2 U.S.C. 431(13)) is amended—

11 (1) in subparagraph (A)—

12 (A) by striking “and” the first place it ap-  
13 pears; and

14 (B) by inserting “, and an affirmation that  
15 the individual is an individual who is not pro-  
16 hibited by section 319 from making a contribu-  
17 tion” after “employer”; and

18 (2) in subparagraph (B) by inserting “and an  
19 affirmation that the person is a person that is not  
20 prohibited by section 319 from making a contribu-  
21 tion” after “such person”.

22 **SEC. 307. USE OF CANDIDATES’ NAMES.**

23 Section 302(e) of the Federal Election Campaign Act  
24 of 1971 (2 U.S.C. 432(e)) is amended by striking para-  
25 graph (4) and inserting the following:

1           “(4)(A) The name of each authorized commit-  
2           tee shall include the name of the candidate who au-  
3           thorized the committee under paragraph (1).

4           “(B) A political committee that is not an au-  
5           thorized committee shall not—

6                   “(i) include the name of any can-  
7                   didate in its name, or

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

16 **SEC. 308. PROHIBITION OF FALSE REPRESENTATION TO**  
17 **SOLICIT CONTRIBUTIONS.**

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

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

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

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

1 **SEC. 309. EXPEDITED PROCEDURES.**

2 Section 309(a) of the Federal Election Campaign Act  
3 of 1971 (2 U.S.C. 437g(a)) (as amended by section 303)  
4 is amended by adding at the end the following new para-  
5 graph:

6 “(14)(A) If the complaint in a proceeding was  
7 filed within 60 days immediately preceding a general  
8 election, the Commission may take action described  
9 in this subparagraph.

10 “(B) If the Commission determines, on the  
11 basis of facts alleged in the complaint and other  
12 facts available to the Commission, that there is clear  
13 and convincing evidence that a violation of this Act  
14 has occurred, is occurring, or is about to occur and  
15 it appears that the requirements for relief stated in  
16 paragraph (13)(A) (ii), (iii), and (iv) are met, the  
17 Commission may—

18 “(i) order expedited proceedings, shorten-  
19 ing the time periods for proceedings under  
20 paragraphs (1), (2), (3), and (4) as necessary  
21 to allow the matter to be resolved in sufficient  
22 time before the election to avoid harm or preju-  
23 dice to the interests of the parties; or

24 “(ii) if the Commission determines that  
25 there is insufficient time to conduct proceedings

1 before the election, immediately seek relief  
2 under paragraph (13)(A).

3 “(C) If the Commission determines, on the  
4 basis of facts alleged in the complaint and other  
5 facts available to the Commission, that the com-  
6 plaint is clearly without merit, the Commission  
7 may—

8 “(i) order expedited proceedings, shorten-  
9 ing the time periods for proceedings under  
10 paragraphs (1), (2), (3), and (4) as necessary  
11 to allow the matter to be resolved in sufficient  
12 time before the election to avoid harm or preju-  
13 dice to the interests of the parties; or

14 “(ii) if the Commission determines that  
15 there is insufficient time to conduct proceedings  
16 before the election, summarily dismiss the com-  
17 plaint.”.

## 18 **TITLE IV—MISCELLANEOUS**

### 19 **SEC. 401. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN** 20 **PURPOSES.**

21 Title III of the Federal Election Campaign Act of  
22 1971 (2 U.S.C. 431 et seq.) is amended by striking section  
23 313 and inserting the following:

1 **“SEC. 313. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN**  
2 **PURPOSES.**

3 “Amounts received by a candidate as contributions,  
4 and any other amounts received by an individual as sup-  
5 port for his or her activities as a holder of Federal office,  
6 may be used by such candidate or individual for expendi-  
7 tures in connection with his or her campaign for Federal  
8 office, for any ordinary and necessary expenses incurred  
9 in connection with his or her duties as a holder of Federal  
10 office, for contributions to any organization described in  
11 section 170(c) of title 26, or for transfers to any national,  
12 State or local committee of any political party. No such  
13 amounts may be converted by any person to any personal  
14 use. For the purposes of this section, such amounts are  
15 converted to personal use if they are used to fulfill any  
16 commitment, obligation, or expense of any person that  
17 would exist irrespective of the candidate’s campaign or in-  
18 dividual’s responsibilities as a Federal officeholder, includ-  
19 ing but not limited to, a home mortgage, rent, or utility  
20 payment; clothing purchase; noncampaign automobile ex-  
21 pense; country club membership; vacation, or trip of a  
22 noncampaign nature; household food items; tuition pay-  
23 ment; admission to a sporting event, concert, theater, or  
24 other form of entertainment not associated with a cam-  
25 paign; and dues, fees, or contributions to a health club  
26 or recreational facility.”.

1 **SEC. 402. CAMPAIGN ADVERTISING.**

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, or any  
13 other type of general public political adver-  
14 tising, 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:

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

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

25 “(2) contained in a printed box set apart from  
26 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. 403. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**  
11 **ING PRIVILEGE.**

12 (a) IN GENERAL.—Section 3210(a)(6)(A) of title 39,  
13 United States Code, is amended to read as follows:

14 “(A) A Member of Congress shall not mail  
15 any mass mailing as franked mail during a year  
16 in which there will be an election for the seat  
17 held by the Member during the period between  
18 January 1 of that year and the date of the gen-  
19 eral election for that Office, unless the Member  
20 has made a public announcement that the  
21 Member will not be a candidate for reelection to  
22 that year or for election to any other Federal  
23 office.”.

1           (b) APPLICATION OF SAVINGS.—It is the intent of  
2 Congress that any savings realized by virtue of the amend-  
3 ment made by subsection (a) shall be designated to pay  
4 for the benefits of section 104 (relating to reduced postage  
5 rates for eligible Senate candidates) provided under  
6 section 104.

7 **SEC. 404. PARTY INDEPENDENT EXPENDITURES.**

8           Section 315(d) of the Federal Election Campaign Act  
9 of 1997 (2 U.S.C. 441a(d)) is amended—

10                 (1) in paragraph (1)—

11                         (A) by inserting “coordinated” after  
12 “make”; and

13                         (B) by striking “(2) and (3)” and inserting  
14 “(2), (3), and (4)”; and

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

16                         “(4) Before a committee of a political party  
17 may make coordinated expenditures in connection  
18 with a general election campaign for Federal office  
19 in excess of \$5,000 pursuant to this subsection, the  
20 committee shall file with the Commission a certifi-  
21 cation, signed by the treasurer, that the committee  
22 has not and will not make any independent expendi-  
23 tures in connection with that campaign for Federal  
24 office. A party committee that determines to make  
25 coordinated expenditures pursuant to this subsection

1 shall not make any transfers of funds in the same  
2 election cycle to, or receive any transfer of funds in  
3 the same election cycle from, any other party com-  
4 mittee that determines to make independent expend-  
5 itures in connection with the same campaign for  
6 Federal office.

7 “(5)(A) A committee of a political party shall  
8 be considered to be in coordination with a candidate  
9 of the party if the committee—

10 “(i) makes a payment for a communication  
11 or anything of value in coordination with the  
12 candidate, as described in section  
13 301(8)(A)(iii);

14 “(ii) makes a coordinated expenditure  
15 under section 315(d) on behalf of the candidate;

16 “(iii) participates in joint fundraising with  
17 the candidate or in any way solicits or receives  
18 a contribution on behalf of the candidate;

19 “(iv) communicates with the candidate or  
20 an agent of the candidate (including a pollster,  
21 media consultant, vendor, advisor, or staff  
22 member), acting on behalf of the candidate,  
23 about advertising, message, allocation of re-  
24 sources, fundraising, or other campaign matters  
25 related to the candidate’s campaign, including

1 campaign operations, staffing, tactics or strat-  
 2 egy; or

3 “(v) provides in-kind services, polling data,  
 4 or anything of value to the candidate.

5 “(6) For purposes of paragraphs (4) and (5),  
 6 all political committees established and maintained  
 7 by a national political party (including all congress-  
 8 sional campaign committees) and all political com-  
 9 mittees established by State political parties shall be  
 10 considered to be a single political committee.

11 “(7) For purposes of paragraph (5), any coordi-  
 12 nation between a committee of a political party and  
 13 a candidate of the party after the candidate has filed  
 14 a statement of candidacy constitutes coordination for  
 15 the period beginning with the filing of the statement  
 16 of candidacy and ending at the end of the election  
 17 cycle.”.

18 **SEC. 405. COORDINATED EXPENDITURES; INDEPENDENT**  
 19 **EXPENDITURES.**

20 (a) DEFINITION OF COORDINATED EXPENDITURE.—

21 (1) SECTION 301(8).—Section 301(8) of the  
 22 Federal Election Campaign Act of 1971 (2 U.S.C.  
 23 431(8)) is amended—

24 (A) in subparagraph (A)—

1 (i) by striking “or” at the end of  
2 clause (i);

3 (ii) by striking the period at the end  
4 of clause (ii) and inserting “; or”; and

5 (iii) by adding at the end the follow-  
6 ing:

7 “(iii) a payment made for a commu-  
8 nication or anything of value that is for  
9 the purpose of influencing an election for  
10 Federal office and that is a payment made  
11 in coordination with a candidate.”; and

12 (B) by adding at the end the following:

13 “(C) For the purposes of subparagraph  
14 (A)(iii), the term ‘payment made in coordina-  
15 tion with a candidate’ includes—

16 “(i) a payment made by a person in  
17 cooperation, consultation, or concert with,  
18 at the request or suggestion of, or pursu-  
19 ant to any general or particular under-  
20 standing with a candidate, the candidate’s  
21 authorized committee, or an agent acting  
22 on behalf of a candidate or authorized  
23 committee;

1           “(ii) a payment made by a person for  
2           the dissemination, distribution, or republi-  
3           cation, in whole or in part, of any broad-  
4           cast or any written, graphic, or other form  
5           of campaign material prepared by a can-  
6           didate, a candidate’s authorized committee,  
7           or an agent of a candidate or authorized  
8           committee (not including a communication  
9           described in paragraph (9)(B)(i) or a com-  
10          munication that expressly advocates the  
11          candidate’s defeat);

12           “(iii) a payment made based on infor-  
13          mation about a candidate’s plans, projects,  
14          or needs provided to the person making the  
15          payment by the candidate or the can-  
16          didate’s agent who provides the informa-  
17          tion with a view toward having the pay-  
18          ment made;

19           “(iv) a payment made by a person if,  
20          in the same election cycle in which the pay-  
21          ment is made, the person making the pay-  
22          ment is serving or has served as a member,  
23          employee, fundraiser, or agent of the can-  
24          didate’s authorized committee in an execu-  
25          tive or policymaking position;

1           “(v) a payment made by a person if  
2           the person making the payment has served  
3           in any formal policy or advisory position  
4           with the candidate’s campaign or has par-  
5           ticipated in strategic or policymaking dis-  
6           cussions with the candidate’s campaign re-  
7           lating to the candidate’s pursuit of nomi-  
8           nation for election, or election, to Federal  
9           office, in the same election cycle as the  
10          election cycle in which the payment is  
11          made;

12          “(vi) a payment made by a person if,  
13          in the same election cycle, the person mak-  
14          ing the payment retains the professional  
15          services of any individual or person who  
16          has provided or is providing campaign-re-  
17          lated services in the same election cycle to  
18          a candidate in connection with the can-  
19          didate’s pursuit of nomination for election,  
20          or election, to Federal office, including  
21          services relating to the candidate’s decision  
22          to seek Federal office, and the professional  
23          is retained to work on activities relating to  
24          that candidate’s campaign.



1           “(D) For purposes of subparagraph  
2           (C)(vi), the term ‘professional services’ includes  
3           services in support of a candidate’s pursuit of  
4           nomination for election, or election, to Federal  
5           office such as polling, media advice, direct mail,  
6           fundraising, or campaign research.

7           (2) SECTION 315(a)(7).—Section 315(a)(7) (2  
8           U.S.C. 441a(a)(7)) is amended by striking para-  
9           graph (B), and inserting the following:

10           “(B) Payments made in coordination with  
11           a candidate, as described in section  
12           301(8)(A)(iii), shall be considered to be con-  
13           tributions to such candidate, and in the case of  
14           limitations on expenditures, shall be treated as  
15           expenditures for purposes of this paragraph.

16           (b) MEANING OF CONTRIBUTION OR EXPENDITURE  
17           FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2)  
18           of the Federal Election Campaign Act of 1971 (2 U.S.C.  
19           441b(b)) is amended by striking “shall include” and in-  
20           serting “includes a contribution or expenditure, as those  
21           terms are defined in section 301, and also includes”.

22           (c) DEFINITION OF INDEPENDENT EXPENDITURE.—  
23           Section 301 of the Federal Election Campaign Act of  
24           1971 (2 U.S.C. 431) is amended by striking paragraph  
25           (17) and inserting the following:

1 “(17) INDEPENDENT EXPENDITURE.—

2 “(A) IN GENERAL.—The term ‘independent ex-  
3 penditure’ means an expenditure that—

4 “(i) contains express advocacy; and

5 “(ii) is made without the participation or  
6 cooperation of, or without consultation with, or  
7 without coordination with a candidate or a can-  
8 didate’s authorized committee or agent (within  
9 the meaning of section 301(8)(A)(iii)).

10 “(B) EXCLUSION.—The term ‘independent  
11 expenditure’ does not include an expenditure or  
12 payment made in coordination with a candidate  
13 (within the meaning of section 301(8)(A)(iii)).”.

14 **SEC. 406. EXPRESS ADVOCACY.**

15 (a) DEFINITION OF EXPENDITURE.—Section  
16 301(9)(A) of the Federal Election Campaign Act of 1971  
17 (2 U.S.C. 431(9)(A)) is amended—

18 (1) by striking “and” at the end of clause (i);

19 (2) by striking the period at the end of clause

20 (ii) and inserting a semicolon; and

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

22 “(iii) any payment during an election  
23 year (or in a nonelection year, during the  
24 period beginning on the date on which a

1           vacancy for Federal office occurs and end-  
2           ing on the date of the special election for  
3           that office) for a communication that is  
4           made through any broadcast medium,  
5           newspaper, magazine, billboard, direct  
6           mail, or similar type of general public com-  
7           munication or political advertising by a na-  
8           tional, State, district, or local committee of  
9           a political party, including a congressional  
10          campaign committee of a party, that refers  
11          to a clearly identified candidate; and

12                   “(iv) any payment for a communica-  
13                   tion that contains express advocacy.”.

14          (b) DEFINITION OF EXPRESS ADVOCACY.—Section  
15          301 of the Federal Election Campaign Act of 1971 (2  
16          U.S.C. 431) (as amended by section 212(d)) is amended  
17          by adding at the end the following:

18                   “(20) EXPRESS ADVOCACY.—

19                           “(A) IN GENERAL.—The term ‘express ad-  
20                           vocacy’ includes—

21                                   “(i) a communication that conveys a  
22                                   message that advocates the election or de-  
23                                   feat of a clearly identified candidate for  
24                                   Federal office by using an expression such  
25                                   as ‘vote for,’ ‘elect,’ ‘support,’ ‘vote

1           against,’ ‘defeat,’ ‘reject,’ ‘(name of can-  
2           didate) for Congress’, ‘vote pro-life,’ or  
3           ‘vote pro-choice’, accompanied by a listing  
4           or picture of a clearly identified candidate  
5           described as ‘pro-life’ or ‘pro-choice,’ ‘re-  
6           ject the incumbent’, or a similar expres-  
7           sion;

8           “(ii) a communication that is made  
9           through a broadcast medium, newspaper,  
10          magazine, billboard, direct mail, or similar  
11          type of general public communication or  
12          political advertising that involves aggregate  
13          disbursements of \$10,000 or more, that re-  
14          fers to a clearly identified candidate, that  
15          a reasonable person would understand as  
16          advocating the election or defeat of the  
17          candidate, and that is made within 30 days  
18          before the date of a primary election (and  
19          is targeted to the State in which the pri-  
20          mary is occurring), or 60 days before a  
21          general election; or

22          “(iii) a communication that is made  
23          through a broadcast medium, newspaper,  
24          magazine, billboard, direct mail, or similar  
25          type of general public communication or

1 political advertising that involves aggregate  
2 disbursements of \$10,000 or more, that re-  
3 fers to a clearly identified candidate, that  
4 a reasonable person would understand as  
5 advocating the election or defeat of a can-  
6 didate, that is made before the date that is  
7 30 days before the date of a primary elec-  
8 tion, or 60 days before the date of a gen-  
9 eral election, and that is made for the pur-  
10 pose of advocating the election or defeat of  
11 the candidate, as shown by 1 or more fac-  
12 tors such as a statement or action by the  
13 person making the communication, the  
14 targeting or placement of the communica-  
15 tion, or the use by the person making the  
16 communication of polling, demographic, or  
17 other similar data relating to the can-  
18 didate's campaign or election.

19 “(B) EXCLUSION.—The term ‘express ad-  
20 vocacy’ does not include the publication or dis-  
21 tribution of a communication that is limited  
22 solely to providing information about the voting  
23 record of elected officials on legislative matters

1           and that a reasonable person would not under-  
2           stand as advocating the election or defeat of a  
3           particular candidate.”.

4    **TITLE V—CONSTITUTIONALITY;**  
5    **EFFECTIVE DATE; REGULATIONS**

6    **SEC. 501. SEVERABILITY.**

7           If any provision of this Act or amendment made by  
8    this Act, or the application of a provision or amendment  
9    to any person or circumstance, is held to be unconstitu-  
10   tional, the remainder of this Act and amendments made  
11   by this Act, and the application of the provisions and  
12   amendment to any person or circumstance, shall not be  
13   affected by the holding.

14   **SEC. 502. REVIEW OF CONSTITUTIONAL ISSUES.**

15           An appeal may be taken directly to the Supreme  
16   Court of the United States from any final judgment, de-  
17   cree, or order issued by any court ruling on the constitu-  
18   tionality of any provision of this Act or amendment made  
19   by this Act.

20   **SEC. 503. EFFECTIVE DATE.**

21           Except as otherwise provided in this Act, this Act and  
22   the amendments made by this Act take effect on the date  
23   that is 60 days after the date of enactment of this Act.

1 **SEC. 504. REGULATIONS.**

2       The Federal Election Commission shall prescribe any  
3 regulations required to carry out this Act and the amend-  
4 ments made by this Act not later than 270 days after the  
5 effective date of this Act.

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