

106TH CONGRESS
1ST SESSION

H. R. 417

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1999

Mr. SHAYS (for himself, Mr. MEEHAN, Mr. WAMP, Mr. LEVIN, Mrs. ROUKEMA, Mr. DINGELL, Mr. FRANKS of New Jersey, Mrs. MALONEY of New York, Mr. LEACH, Mr. FARR of California, Mr. HOUGHTON, Mr. BONIOR, Mr. GREENWOOD, Mr. GEPHARDT, Mrs. MORELLA, Mr. ALLEN, Mr. CASTLE, Mr. HOYER, Mr. BILBRAY, Ms. DELAURO, Mr. BOEHLERT, Mr. LEWIS of Georgia, Mr. RAMSTAD, Mr. FRANK of Massachusetts, Mr. METCALF, Mr. GEORGE MILLER of California, Mr. GILCHREST, Ms. RIVERS, Mr. SANFORD, Mrs. CAPPS, Mr. PORTER, Mr. DOOLEY of California, Mrs. KELLY, Mr. CARDIN, Mr. WALSH, Mr. GEJDENSON, Mr. FORBES, Mr. BARRETT of Wisconsin, Mr. HORN, Mr. TIERNEY, Mr. GALLEGLY, Mr. MINGE, Mr. GILLMOR, Mr. PRICE of North Carolina, Mr. GILMAN, Mr. KIND, Mr. LOBIONDO, Mr. NADLER, Mr. FRELINGHUYSEN, Mr. MASCARA, Mr. SHERMAN, Mr. STARK, Mr. BRADY of Pennsylvania, Mr. BALDACCI, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LUTHER, Mr. MALONEY of Connecticut, Mr. WAXMAN, Mr. POMEROY, Mr. CLEMENT, Mr. LANTOS, Mr. PALLONE, Mr. HINCHEY, Mr. BLUMENAUER, Mr. VENTO, Mr. WEXLER, Mr. MCGOVERN, Mr. MARKEY, Mr. ROTHMAN, Mr. PASCRELL, Mr. KANJORSKI, Mr. ACKERMAN, Mr. DAVIS of Florida, Mr. HOLT, Mr. GREEN of Texas, Mr. KLECZKA, Ms. KILPATRICK, Ms. ROYBAL-ALLARD, Mrs. TAUSCHER, Ms. PELOSI, Mr. SPRATT, Mr. HOEFFEL, Mr. MOORE, Mr. BORSKI, Ms. BALDWIN, Mr. SAWYER, Mr. UDALL of New Mexico, Ms. CARSON, Ms. MCCARTHY of Missouri, Mr. HALL of Ohio, Ms. LOFGREN, Mrs. MCCARTHY of New York, Mr. SNYDER, Mr. BAIRD, Mr. GONZALEZ, and Mrs. JOHNSON of Connecticut) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Education and the Workforce, Government Reform, the Judiciary, Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Bipartisan Campaign Finance Reform Act of 1999”.

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—REDUCTION OF SPECIAL INTEREST INFLUENCE

Sec. 101. Soft money of political parties.

Sec. 102. Increased contribution limits for State committees of political parties
 and aggregate contribution limit for individuals.

Sec. 103. Reporting requirements.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

Sec. 201. Definitions.

Sec. 202. Express advocacy determined without regard to background music.

Sec. 203. Civil penalty.

Sec. 204. Reporting requirements for certain independent expenditures.

Sec. 205. Independent versus coordinated expenditures by party.

Sec. 206. Coordination with candidates.

TITLE III—DISCLOSURE

Sec. 301. Filing of reports using computers and facsimile machines.

Sec. 302. Prohibition of deposit of contributions with incomplete contributor in-
 formation.

Sec. 303. Audits.

Sec. 304. Reporting requirements for contributions of \$50 or more.

Sec. 305. Use of candidates’ names.

Sec. 306. Prohibition of false representation to solicit contributions.

Sec. 307. Soft money of persons other than political parties.

Sec. 308. Campaign advertising.

TITLE IV—PERSONAL WEALTH OPTION

Sec. 401. Voluntary personal funds expenditure limit.

Sec. 402. Political party committee coordinated expenditures.

TITLE V—MISCELLANEOUS

- Sec. 501. Codification of Beck decision.
- Sec. 502. Use of contributed amounts for certain purposes.
- Sec. 503. Limit on congressional use of the franking privilege.
- Sec. 504. Prohibition of fundraising on Federal property.
- Sec. 505. Penalties for violations.
- Sec. 506. Strengthening foreign money ban.
- Sec. 507. Prohibition of contributions by minors.
- Sec. 508. Expedited procedures.
- Sec. 509. Initiation of enforcement proceeding.
- Sec. 510. Protecting equal participation of eligible voters in campaigns and elections.
- Sec. 511. Penalty for violation of prohibition against foreign contributions.
- Sec. 512. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
- Sec. 513. Conspiracy to violate presidential campaign spending limits.
- Sec. 514. Deposit of certain contributions and donations in Treasury account.
- Sec. 515. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
- Sec. 516. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.

TITLE VI—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

- Sec. 601. Establishment and purpose of Commission.
- Sec. 602. Membership of Commission.
- Sec. 603. Powers of Commission.
- Sec. 604. Administrative provisions.
- Sec. 605. Report and recommended legislation.
- Sec. 606. Expedited congressional consideration of legislation.
- Sec. 607. Termination.
- Sec. 608. Authorization of appropriations.

TITLE VII—PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

- Sec. 701. Prohibiting use of White House meals and accommodations for political fundraising.

TITLE VIII—SENSE OF THE CONGRESS REGARDING FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY

- Sec. 801. Sense of the Congress regarding applicability of controlling legal authority to fundraising on Federal government property.

TITLE IX—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY

- Sec. 901. Prohibition against acceptance or solicitation to obtain access to certain Federal government property.

TITLE X—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

Sec. 1001. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.

TITLE XI—PROHIBITING USE OF WALKING AROUND MONEY

Sec. 1101. Prohibiting campaigns from providing currency to individuals for purposes of encouraging turnout on date of election.

TITLE XII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

Sec. 1201. Enhancing enforcement of campaign finance law.

TITLE XIII—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY PRESIDENTIAL CANDIDATES

Sec. 1301. Ban on coordination of soft money for issue advocacy by presidential candidates receiving public financing.

TITLE XIV—POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET

Sec. 1401. Requirement that names of passengers on Air Force One and Air Force Two be made available through the Internet.

TITLE XV—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS RECEIVING FOREIGN CONTRIBUTIONS

Sec. 1501. Permitting consideration of privileged motion to expel House member accepting illegal foreign contribution.

TITLE XVI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

Sec. 1601. Severability.

Sec. 1602. Review of constitutional issues.

Sec. 1603. Effective date.

Sec. 1604. Regulations.

1 **TITLE I—REDUCTION OF** 2 **SPECIAL INTEREST INFLUENCE**

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

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

7 “SOFT MONEY OF POLITICAL PARTIES

8 “SEC. 323. (a) NATIONAL COMMITTEES.—

1 “(1) IN GENERAL.—A national committee of a
2 political party (including a national congressional
3 campaign committee of a political party) and any of-
4 ficers or agents of such party committees, shall not
5 solicit, receive, or direct to another person a con-
6 tribution, donation, or transfer of funds, or spend
7 any funds, that are not subject to the limitations,
8 prohibitions, and reporting requirements of this Act.

9 “(2) APPLICABILITY.—This subsection shall
10 apply to an entity that is directly or indirectly estab-
11 lished, financed, maintained, or controlled by a na-
12 tional committee of a political party (including a na-
13 tional congressional campaign committee of a politi-
14 cal party), or an entity acting on behalf of a national
15 committee, and an officer or agent acting on behalf
16 of any such committee or entity.

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

18 “(1) IN GENERAL.—An amount that is ex-
19 pended or disbursed by a State, district, or local
20 committee of a political party (including an entity
21 that is directly or indirectly established, financed,
22 maintained, or controlled by a State, district, or
23 local committee of a political party and an officer or
24 agent acting on behalf of such committee or entity)
25 for Federal election activity shall be made from

1 funds subject to the limitations, prohibitions, and re-
2 porting requirements of this Act.

3 “(2) FEDERAL ELECTION ACTIVITY.—

4 “(A) IN GENERAL.—The term ‘Federal
5 election activity’ means—

6 “(i) voter registration activity during
7 the period that begins on the date that is
8 120 days before the date a regularly sched-
9 uled Federal election is held and ends on
10 the date of the election;

11 “(ii) voter identification, get-out-the-
12 vote activity, or generic campaign activity
13 conducted in connection with an election in
14 which a candidate for Federal office ap-
15 pears on the ballot (regardless of whether
16 a candidate for State or local office also
17 appears on the ballot); and

18 “(iii) a communication that refers to a
19 clearly identified candidate for Federal of-
20 fice (regardless of whether a candidate for
21 State or local office is also mentioned or
22 identified) and is made for the purpose of
23 influencing a Federal election (regardless
24 of whether the communication is express
25 advocacy).

1 “(B) EXCLUDED ACTIVITY.—The term
2 ‘Federal election activity’ does not include an
3 amount expended or disbursed by a State, dis-
4 trict, or local committee of a political party
5 for—

6 “(i) campaign activity conducted sole-
7 ly on behalf of a clearly identified can-
8 didate for State or local office, provided
9 the campaign activity is not a Federal elec-
10 tion activity described in subparagraph
11 (A);

12 “(ii) a contribution to a candidate for
13 State or local office, provided the contribu-
14 tion is not designated or used to pay for a
15 Federal election activity described in sub-
16 paragraph (A);

17 “(iii) the costs of a State, district, or
18 local political convention;

19 “(iv) the costs of grassroots campaign
20 materials, including buttons, bumper stick-
21 ers, and yard signs, that name or depict
22 only a candidate for State or local office;

23 “(v) the non-Federal share of a State,
24 district, or local party committee’s admin-
25 istrative and overhead expenses (but not

1 including the compensation in any month
2 of an individual who spends more than 20
3 percent of the individual's time on Federal
4 election activity) as determined by a regu-
5 lation promulgated by the Commission to
6 determine the non-Federal share of a
7 State, district, or local party committee's
8 administrative and overhead expenses; and
9 “(vi) the cost of constructing or pur-
10 chasing an office facility or equipment for
11 a State, district or local committee.

12 “(c) FUNDRAISING COSTS.—An amount spent by a
13 national, State, district, or local committee of a political
14 party, by an entity that is established, financed, main-
15 tained, or controlled by a national, State, district, or local
16 committee of a political party, or by an agent or officer
17 of any such committee or entity, to raise funds that are
18 used, in whole or in part, to pay the costs of a Federal
19 election activity shall be made from funds subject to the
20 limitations, prohibitions, and reporting requirements of
21 this Act.

22 “(d) 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, and an officer or agent acting on behalf of any such
4 party committee or entity, shall not solicit any funds for,
5 or make or direct any donations to, an organization that
6 is described in section 501(c) of the Internal Revenue
7 Code of 1986 and exempt from taxation under section
8 501(a) of such Code (or has submitted an application to
9 the Commissioner of the Internal Revenue Service for de-
10 termination of tax-exemption under such section).

11 “(e) CANDIDATES.—

12 “(1) IN GENERAL.—A candidate, individual
13 holding Federal office, agent of a candidate or indi-
14 vidual holding Federal office, or an entity directly or
15 indirectly established, financed, maintained or con-
16 trolled by or acting on behalf of one or more can-
17 didates or individuals holding Federal office, shall
18 not—

19 “(A) solicit, receive, direct, transfer, or
20 spend funds in connection with an election for
21 Federal office, including funds for any Federal
22 election activity, unless the funds are subject to
23 the limitations, prohibitions, and reporting re-
24 quirements of this Act; or

1 “(B) solicit, receive, direct, transfer, or
2 spend funds in connection with any election
3 other than an election for Federal office or dis-
4 burse funds in connection with such an election
5 unless the funds—

6 “(i) are not in excess of the amounts
7 permitted with respect to contributions to
8 candidates and political committees under
9 paragraphs (1) and (2) of section 315(a);
10 and

11 “(ii) are not from sources prohibited
12 by this Act from making contributions with
13 respect to an election for Federal office.

14 “(2) STATE LAW.—Paragraph (1) does not
15 apply to the solicitation, receipt, or spending of
16 funds by an individual who is a candidate for a
17 State or local office in connection with such election
18 for State or local office if the solicitation, receipt,
19 or spending of funds is permitted under State law
20 for any activity other than a Federal election activ-
21 ity.

22 “(3) FUNDRAISING EVENTS.—Notwithstanding
23 paragraph (1), a candidate may attend, speak, or be
24 a featured guest at a fundraising event for a State,
25 district, or local committee of a political party.”.

1 **SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE**
2 **COMMITTEES OF POLITICAL PARTIES AND**
3 **AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.**
4

5 (a) CONTRIBUTION LIMIT FOR STATE COMMITTEES
6 OF POLITICAL PARTIES.—Section 315(a)(1) of the Fed-
7 eral Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1))
8 is amended—

9 (1) in subparagraph (B), by striking “or” at
10 the end;

11 (2) in subparagraph (C)—

12 (A) by inserting “(other than a committee
13 described in subparagraph (D))” after “com-
14 mittee”; and

15 (B) by striking the period at the end and
16 inserting “; or”; and

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

18 “(D) to a political committee established and
19 maintained by a State committee of a political party
20 in any calendar year that, in the aggregate, exceed
21 \$10,000”.

22 (b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVID-
23 UAL.—Section 315(a)(3) of the Federal Election Cam-
24 paign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by
25 striking “\$25,000” and inserting “\$30,000”.

1 **SEC. 103. REPORTING REQUIREMENTS.**

2 (a) REPORTING REQUIREMENTS.—Section 304 of the
3 Federal Election Campaign Act of 1971 (2 U.S.C. 434)
4 (as amended by section 204) is amended by inserting after
5 subsection (d) the following:

6 “(e) POLITICAL COMMITTEES.—

7 “(1) NATIONAL AND CONGRESSIONAL POLITI-
8 CAL COMMITTEES.—The national committee of a po-
9 litical party, any national congressional campaign
10 committee of a political party, and any subordinate
11 committee of either, shall report all receipts and dis-
12 bursements during the reporting period.

13 “(2) OTHER POLITICAL COMMITTEES TO WHICH
14 SECTION 323 APPLIES.—In addition to any other re-
15 porting requirements applicable under this Act, a
16 political committee (not described in paragraph (1))
17 to which section 323(b)(1) applies shall report all re-
18 cepts and disbursements made for activities de-
19 scribed in paragraphs (2)(A) and (2)(B)(v) of sec-
20 tion 323(b).

21 “(3) ITEMIZATION.—If a political committee
22 has receipts or disbursements to which this sub-
23 section applies from any person aggregating in ex-
24 cess of \$200 for any calendar year, the political
25 committee shall separately itemize its reporting for

1 such person in the same manner as required in para-
 2 graphs (3)(A), (5), and (6) of subsection (b).

3 “(4) REPORTING PERIODS.—Reports required
 4 to be filed under this subsection shall be filed for the
 5 same time periods required for political committees
 6 under subsection (a).”.

7 (b) BUILDING FUND EXCEPTION TO THE DEFINI-
 8 TION OF CONTRIBUTION.—Section 301(8)(B) of the Fed-
 9 eral Election Campaign Act of 1971 (2 U.S.C. 431(8)(B))
 10 is amended—

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

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

14 **TITLE II—INDEPENDENT AND** 15 **COORDINATED EXPENDITURES**

16 **SEC. 201. DEFINITIONS.**

17 (a) DEFINITION OF INDEPENDENT EXPENDITURE.—
 18 Section 301 of the Federal Election Campaign Act (2
 19 U.S.C. 431) is amended by striking paragraph (17) and
 20 inserting the following:

21 “(17) INDEPENDENT EXPENDITURE.—

22 “(A) IN GENERAL.—The term ‘independ-
 23 ent expenditure’ means an expenditure by a
 24 person—

1 “(i) for a communication that is ex-
2 press advocacy; and

3 “(ii) that is not coordinated activity
4 or is not provided in coordination with a
5 candidate or a candidate’s agent or a per-
6 son who is coordinating with a candidate
7 or a candidate’s agent.”.

8 (b) DEFINITION OF EXPRESS ADVOCACY.—Section
9 301 of the Federal Election Campaign Act of 1971 (2
10 U.S.C. 431) is amended by adding at the end the follow-
11 ing:

12 “(20) EXPRESS ADVOCACY.—

13 “(A) IN GENERAL.—The term ‘express ad-
14 vocacy’ means a communication that advocates
15 the election or defeat of a candidate by—

16 “(i) containing a phrase such as ‘vote
17 for’, ‘re-elect’, ‘support’, ‘cast your ballot
18 for’, ‘(name of candidate) for Congress’,
19 ‘(name of candidate) in 1997’, ‘vote
20 against’, ‘defeat’, ‘reject’, or a campaign
21 slogan or words that in context can have
22 no reasonable meaning other than to advo-
23 cate the election or defeat of one or more
24 clearly identified candidates;

1 “(ii) referring to one or more clearly
2 identified candidates in a paid advertise-
3 ment that is transmitted through radio or
4 television within 60 calendar days preced-
5 ing the date of an election of the candidate
6 and that appears in the State in which the
7 election is occurring, except that with re-
8 spect to a candidate for the office of Vice
9 President or President, the time period is
10 within 60 calendar days preceding the date
11 of a general election; or

12 “(iii) expressing unmistakable and un-
13 ambiguous support for or opposition to one
14 or more clearly identified candidates when
15 taken as a whole and with limited ref-
16 erence to external events, such as proxim-
17 ity to an election.

18 “(B) VOTING RECORD AND VOTING GUIDE
19 EXCEPTION.—The term ‘express advocacy’ does
20 not include a communication which is in printed
21 form or posted on the Internet that—

22 “(i) presents information solely about
23 the voting record or position on a cam-
24 paign issue of one or more candidates (in-
25 cluding any statement by the sponsor of

1 the voting record or voting guide of its
2 agreement or disagreement with the record
3 or position of a candidate), so long as the
4 voting record or voting guide when taken
5 as a whole does not express unmistakable
6 and unambiguous support for or opposition
7 to one or more clearly identified can-
8 didates;

9 “(ii) is not coordinated activity or is
10 not made in coordination with a candidate,
11 political party, or agent of the candidate or
12 party, or a candidate’s agent or a person
13 who is coordinating with a candidate or a
14 candidate’s agent, except that nothing in
15 this clause may be construed to prevent
16 the sponsor of the voting guide from di-
17 recting questions in writing to a candidate
18 about the candidate’s position on issues for
19 purposes of preparing a voter guide or to
20 prevent the candidate from responding in
21 writing to such questions; and

22 “(iii) does not contain a phrase such
23 as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your
24 ballot for’, ‘(name of candidate) for Con-
25 gress’, ‘(name of candidate) in (year)’,

1 ‘vote against’, ‘defeat’, or ‘reject’, or a
 2 campaign slogan or words that in context
 3 can have no reasonable meaning other than
 4 to urge the election or defeat of one or
 5 more clearly identified candidates.”.

6 (c) DEFINITION OF EXPENDITURE.—Section
 7 301(9)(A) of the Federal Election Campaign Act of 1971
 8 (2 U.S.C. 431(9)(A)) is amended—

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

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

13 “(iii) a payment made by a political committee
 14 for a communication that—

15 “(I) refers to a clearly identified candidate;
 16 and

17 “(II) is for the purpose of influencing a
 18 Federal election (regardless of whether the com-
 19 munication is express advocacy).”.

20 **SEC. 202. EXPRESS ADVOCACY DETERMINED WITHOUT RE-**
 21 **GARD TO BACKGROUND MUSIC.**

22 Section 301(20) of the Federal Election Campaign
 23 Act of 1971 (2 U.S.C. 431(20)), as added by section
 24 201(b), is amended by adding at the end the following new
 25 subparagraph:

1 “(C) BACKGROUND MUSIC.—In determin-
 2 ing whether any communication by television or
 3 radio broadcast constitutes express advocacy for
 4 purposes of this Act, there shall not be taken
 5 into account any background music not includ-
 6 ing lyrics used in such broadcast.”.

7 **SEC. 203. CIVIL PENALTY.**

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

10 (1) in subsection (a)—

11 (A) in paragraph (4)(A)—

12 (i) in clause (i), by striking “clause
 13 (ii)” and inserting “clauses (ii) and (iii)”;
 14 and

15 (ii) by adding at the end the follow-
 16 ing:

17 “(iii) If the Commission determines by an affirmative
 18 vote of 4 of its members that there is probable cause to
 19 believe that a person has made a knowing and willful viola-
 20 tion of section 304(c), the Commission shall not enter into
 21 a conciliation agreement under this paragraph and may
 22 institute a civil action for relief under paragraph (6)(A).”;
 23 and

24 (B) in paragraph (6)(B), by inserting “(ex-
 25 cept an action instituted in connection with a

1 knowing and willful violation of section
 2 304(c))” after “subparagraph (A)”; and
 3 (2) in subsection (d)(1)—

4 (A) in subparagraph (A), by striking “Any
 5 person” and inserting “Except as provided in
 6 subparagraph (D), any person”; and

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

8 “(D) In the case of a knowing and willful violation
 9 of section 304(c) that involves the reporting of an inde-
 10 pendent expenditure, the violation shall not be subject to
 11 this subsection.”.

12 **SEC. 204. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
 13 **PENDENT EXPENDITURES.**

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

16 (1) in subsection (c)(2), by striking the undes-
 17 ignated matter after subparagraph (C);

18 (2) by redesignating paragraph (3) of sub-
 19 section (c) as subsection (f); and

20 (3) by inserting after subsection (c)(2) (as
 21 amended by paragraph (1)) the following:

22 “(d) TIME FOR REPORTING CERTAIN EXPENDI-
 23 TURES.—

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

1 “(A) INITIAL REPORT.—A person (includ-
2 ing a political committee) that makes or con-
3 tracts to make independent expenditures aggreg-
4 ating \$1,000 or more after the 20th day, but
5 more than 24 hours, before the date of an elec-
6 tion shall file a report describing the expendi-
7 tures within 24 hours after that amount of
8 independent expenditures has been made.

9 “(B) ADDITIONAL REPORTS.—After a per-
10 son files a report under subparagraph (A), the
11 person shall file an additional report within 24
12 hours after each time the person makes or con-
13 tracts to make independent expenditures aggreg-
14 ating an additional \$1,000 with respect to the
15 same election as that to which the initial report
16 relates.

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

18 “(A) INITIAL REPORT.—A person (includ-
19 ing a political committee) that makes or con-
20 tracts to make independent expenditures aggreg-
21 ating \$10,000 or more at any time up to and
22 including the 20th day before the date of an
23 election shall file a report describing the ex-
24 penditures within 48 hours after that amount
25 of independent expenditures has been made.

1 “(B) ADDITIONAL REPORTS.—After a per-
 2 son files a report under subparagraph (A), the
 3 person shall file an additional report within 48
 4 hours after each time the person makes or con-
 5 tracts to make independent expenditures aggre-
 6 gating an additional \$10,000 with respect to
 7 the same election as that to which the initial re-
 8 port relates.

9 “(3) PLACE OF FILING; CONTENTS.—A report
 10 under this subsection—

11 “(A) shall be filed with the Commission;
 12 and

13 “(B) shall contain the information required
 14 by subsection (b)(6)(B)(iii), including the name
 15 of each candidate whom an expenditure is in-
 16 tended to support or oppose.”.

17 **SEC. 205. INDEPENDENT VERSUS COORDINATED EXPENDI-**
 18 **TURES BY PARTY.**

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

21 (1) in paragraph (1), by striking “and (3)” and
 22 inserting “, (3), and (4)”; and

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

24 “(4) INDEPENDENT VERSUS COORDINATED EX-
 25 PENDITURES BY PARTY.—

1 “(A) IN GENERAL.—On or after the date on
2 which a political party nominates a candidate, a
3 committee of the political party shall not make both
4 expenditures under this subsection and independent
5 expenditures (as defined in section 301(17)) with re-
6 spect to the candidate during the election cycle.

7 “(B) CERTIFICATION.—Before making a coordi-
8 nated expenditure under this subsection with respect
9 to a candidate, a committee of a political party shall
10 file with the Commission a certification, signed by
11 the treasurer of the committee, that the committee
12 has not and shall not make any independent expend-
13 iture with respect to the candidate during the same
14 election cycle.

15 “(C) APPLICATION.—For the purposes of this
16 paragraph, all political committees established and
17 maintained by a national political party (including
18 all congressional campaign committees) and all polit-
19 ical committees established and maintained by a
20 State political party (including any subordinate com-
21 mittee of a State committee) shall be considered to
22 be a single political committee.

23 “(D) TRANSFERS.—A committee of a political
24 party that submits a certification under subpara-
25 graph (B) with respect to a candidate shall not, dur-

1 ing an election cycle, transfer any funds to, assign
 2 authority to make coordinated expenditures under
 3 this subsection to, or receive a transfer of funds
 4 from, a committee of the political party that has
 5 made or intends to make an independent expendi-
 6 ture with respect to the candidate.”.

7 **SEC. 206. COORDINATION WITH CANDIDATES.**

8 (a) DEFINITION OF COORDINATION WITH CAN-
 9 DIDATES.—

10 (1) SECTION 301(8).—Section 301(8) of the
 11 Federal Election Campaign Act of 1971 (2 U.S.C.
 12 431(8)) is amended—

13 (A) in subparagraph (A)—

14 (i) by striking “or” at the end of
 15 clause (i);

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

18 (iii) by adding at the end the follow-
 19 ing:

20 “(iii) coordinated activity (as defined
 21 in subparagraph (C)).”; and

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

23 “(C) ‘Coordinated activity’ means anything
 24 of value provided by a person in coordination
 25 with a candidate, an agent of the candidate, or

1 the political party of the candidate or its agent
2 for the purpose of influencing a Federal election
3 (regardless of whether the value being provided
4 is a communication that is express advocacy) in
5 which such candidate seeks nomination or elec-
6 tion to Federal office, and includes any of the
7 following:

8 “(i) A payment made by a person in
9 cooperation, consultation, or concert with,
10 at the request or suggestion of, or pursu-
11 ant to any general or particular under-
12 standing with a candidate, the candidate’s
13 authorized committee, the political party of
14 the candidate, or an agent acting on behalf
15 of a candidate, authorized committee, or
16 the political party of the candidate.

17 “(ii) A payment made by a person for
18 the production, dissemination, distribution,
19 or republication, in whole or in part, of any
20 broadcast or any written, graphic, or other
21 form of campaign material prepared by a
22 candidate, a candidate’s authorized com-
23 mittee, or an agent of a candidate or au-
24 thorized committee (not including a com-
25 munication described in paragraph

1 (9)(B)(i) or a communication that ex-
2 pressly advocates the candidate's defeat).

3 “(iii) A payment made by a person
4 based on information about a candidate's
5 plans, projects, or needs provided to the
6 person making the payment by the can-
7 didate or the candidate's agent who pro-
8 vides the information with the intent that
9 the payment be made.

10 “(iv) A payment made by a person if,
11 in the same election cycle in which the pay-
12 ment is made, the person making the pay-
13 ment is serving or has served as a member,
14 employee, fundraiser, or agent of the can-
15 didate's authorized committee in an execu-
16 tive or policymaking position.

17 “(v) A payment made by a person if
18 the person making the payment has served
19 in any formal policy making or advisory
20 position with the candidate's campaign or
21 has participated in formal strategic or for-
22 mal policymaking discussions (other than
23 any discussion treated as a lobbying con-
24 tact under the Lobbying Disclosure Act of
25 1995 in the case of a candidate holding

1 Federal office or as a similar lobbying ac-
2 tivity in the case of a candidate holding
3 State or other elective office) with the can-
4 didate's campaign relating to the can-
5 didate's pursuit of nomination for election,
6 or election, to Federal office, in the same
7 election cycle as the election cycle in which
8 the payment is made.

9 “(vi) A payment made by a person if,
10 in the same election cycle, the person mak-
11 ing the payment retains the professional
12 services of any person that has provided or
13 is providing campaign-related services in
14 the same election cycle to a candidate (in-
15 cluding services provided through a politi-
16 cal committee of the candidate's political
17 party) in connection with the candidate's
18 pursuit of nomination for election, or elec-
19 tion, to Federal office, including services
20 relating to the candidate's decision to seek
21 Federal office, and the person retained is
22 retained to work on activities relating to
23 that candidate's campaign.

24 “(vii) A payment made by a person
25 who has directly participated in fundrais-

1 ing activities with the candidate or in the
2 solicitation or receipt of contributions on
3 behalf of the candidate.

4 “(viii) A payment made by a person
5 who has communicated with the candidate
6 or an agent of the candidate (including a
7 communication through a political commit-
8 tee of the candidate’s political party) after
9 the declaration of candidacy (including a
10 pollster, media consultant, vendor, advisor,
11 or staff member acting on behalf of the
12 candidate), about advertising message, al-
13 location of resources, fundraising, or other
14 campaign matters related to the can-
15 didate’s campaign, including campaign op-
16 erations, staffing, tactics, or strategy.

17 “(ix) The provision of in-kind profes-
18 sional services or polling data (including
19 services or data provided through a politi-
20 cal committee of the candidate’s political
21 party) to the candidate or candidate’s
22 agent.

23 “(x) A payment made by a person
24 who has engaged in a coordinated activity
25 with a candidate described in clauses (i)

1 through (ix) for a communication that
2 clearly refers to the candidate or the can-
3 didate's opponent and is for the purpose of
4 influencing that candidates's election (re-
5 gardless of whether the communication is
6 express advocacy).

7 “(D) For purposes of subparagraph (C),
8 the term ‘professional services’ means polling,
9 media advice, fundraising, campaign research or
10 direct mail (except for mailhouse services solely
11 for the distribution of voter guides as defined in
12 section 431(20)(B)) services in support of a
13 candidate's pursuit of nomination for election,
14 or election, to Federal office.

15 “(E) For purposes of subparagraph (C),
16 all political committees established and main-
17 tained by a national political party (including
18 all congressional campaign committees) and all
19 political committees established and maintained
20 by a State political party (including any subor-
21 dinate committee of a State committee) shall be
22 considered to be a single political committee.”.

23 (2) SECTION 315(a)(7).—Section 315(a)(7) (2
24 U.S.C. 441a(a)(7)) is amended by striking subpara-
25 graph (B) and inserting the following:

1 “(B) a coordinated activity, as described in
 2 section 301(8)(C), shall be considered to be a
 3 contribution to the candidate, and in the case
 4 of a limitation on expenditures, shall be treated
 5 as an expenditure by the candidate.

6 (b) MEANING OF CONTRIBUTION OR EXPENDITURE
 7 FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2)
 8 of the Federal Election Campaign Act of 1971 (2 U.S.C.
 9 441b(b)) is amended by striking “shall include” and in-
 10 serting “includes a contribution or expenditure, as those
 11 terms are defined in section 301, and also includes”.

12 **TITLE III—DISCLOSURE**

13 **SEC. 301. FILING OF REPORTS USING COMPUTERS AND** 14 **FACSIMILE MACHINES.**

15 Section 304(a) of the Federal Election Campaign Act
 16 of 1971 (2 U.S.C. 434(a)) is amended by striking para-
 17 graph (11) and inserting the following:

18 “(11)(A) The Commission shall promulgate a regula-
 19 tion under which a person required to file a designation,
 20 statement, or report under this Act—

21 “(i) is required to maintain and file a designa-
 22 tion, statement, or report for any calendar year in
 23 electronic form accessible by computers if the person
 24 has, or has reason to expect to have, aggregate con-

1 tributions or expenditures in excess of a threshold
2 amount determined by the Commission; and

3 “(ii) may maintain and file a designation, state-
4 ment, or report in electronic form or an alternative
5 form, including the use of a facsimile machine, if not
6 required to do so under the regulation promulgated
7 under clause (i).

8 “(B) The Commission shall make a designation,
9 statement, report, or notification that is filed electronically
10 with the Commission accessible to the public on the Inter-
11 net not later than 24 hours after the designation, state-
12 ment, report, or notification is received by the Commis-
13 sion.

14 “(C) In promulgating a regulation under this para-
15 graph, the Commission shall provide methods (other than
16 requiring a signature on the document being filed) for
17 verifying designations, statements, and reports covered by
18 the regulation. Any document verified under any of the
19 methods shall be treated for all purposes (including pen-
20 alties for perjury) in the same manner as a document veri-
21 fied by signature.”.

1 **SEC. 302. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS**
2 **WITH INCOMPLETE CONTRIBUTOR INFORMA-**
3 **TION.**

4 Section 302 of Federal Election Campaign Act of
5 1971 (2 U.S.C. 432) is amended by adding at the end
6 the following:

7 “(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of
8 a candidate’s authorized committee shall not deposit, ex-
9 cept in an escrow account, or otherwise negotiate a con-
10 tribution from a person who makes an aggregate amount
11 of contributions in excess of \$200 during a calendar year
12 unless the treasurer verifies that the information required
13 by this section with respect to the contributor is com-
14 plete.”.

15 **SEC. 303. AUDITS.**

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

19 (1) by inserting “(1) IN GENERAL.—” before
20 “The Commission”;

21 (2) by moving the text 2 ems to the right; and

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

23 “(2) RANDOM AUDITS.—

24 “(A) IN GENERAL.—Notwithstanding para-
25 graph (1), the Commission may conduct ran-
26 dom audits and investigations to ensure vol-

1 untary compliance with this Act. The selection
 2 of any candidate for a random audit or inves-
 3 tigation shall be based on criteria adopted by a
 4 vote of at least four members of the Commis-
 5 sion.

6 “(B) LIMITATION.—The Commission shall
 7 not conduct an audit or investigation of a can-
 8 didate’s authorized committee under subpara-
 9 graph (A) until the candidate is no longer a
 10 candidate for the office sought by the candidate
 11 in an election cycle.

12 “(C) APPLICABILITY.—This paragraph
 13 does not apply to an authorized committee of a
 14 candidate for President or Vice President sub-
 15 ject to audit under section 9007 or 9038 of the
 16 Internal Revenue Code of 1986.”.

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

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

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

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

3 (2) by striking the semicolon and inserting “,
4 except that in the case of a person who makes con-
5 tributions aggregating at least \$50 but not more
6 than \$200 during the calendar year, the identifica-
7 tion need include only the name and address of the
8 person;”.

9 **SEC. 305. USE OF CANDIDATES’ NAMES.**

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

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

16 “(B) A political committee that is not an authorized
17 committee shall not—

18 “(i) include the name of any candidate in its
19 name; or

20 “(ii) except in the case of a national, State, or
21 local party committee, use the name of any can-
22 didate in any activity on behalf of the committee in
23 such a context as to suggest that the committee is
24 an authorized committee of the candidate or that the

1 use of the candidate's name has been authorized by
 2 the candidate.”.

3 **SEC. 306. PROHIBITION OF FALSE REPRESENTATION TO**
 4 **SOLICIT CONTRIBUTIONS.**

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

7 (1) by inserting after “SEC. 322.” the follow-
 8 ing: “(a) IN GENERAL.—”; and

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

10 “(b) SOLICITATION OF CONTRIBUTIONS.—No person
 11 shall solicit contributions by falsely representing himself
 12 or herself as a candidate or as a representative of a can-
 13 didate, a political committee, or a political party.”.

14 **SEC. 307. SOFT MONEY OF PERSONS OTHER THAN POLITI-**
 15 **CAL PARTIES.**

16 (a) IN GENERAL.—Section 304 of the Federal Elec-
 17 tion Campaign Act of 1971 (2 U.S.C. 434) (as amended
 18 by section 103(c) and section 204) is amended by adding
 19 at the end the following:

20 “(g) DISBURSEMENTS OF PERSONS OTHER THAN
 21 POLITICAL PARTIES.—

22 “(1) IN GENERAL.—A person, other than a po-
 23 litical committee of a political party or a person de-
 24 scribed in section 501(d) of the Internal Revenue
 25 Code of 1986, that makes an aggregate amount of

1 disbursements in excess of \$50,000 during a cal-
2 endar year for activities described in paragraph (2)
3 shall file a statement with the Commission—

4 “(A) on a monthly basis as described in
5 subsection (a)(4)(B); or

6 “(B) in the case of disbursements that are
7 made within 20 days of an election, within 24
8 hours after the disbursements are made.

9 “(2) ACTIVITY.—The activity described in this
10 paragraph is—

11 “(A) Federal election activity;

12 “(B) an activity described in section
13 316(b)(2)(A) that expresses support for or op-
14 position to a candidate for Federal office or a
15 political party; and

16 “(C) an activity described in subparagraph
17 (B) or (C) of section 316(b)(2).

18 “(3) 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.

23 “(4) CONTENTS.—A statement under this sec-
24 tion shall contain such information about the dis-

1 bursements made during the reporting period as the
2 Commission shall prescribe, including—

3 “(A) the aggregate amount of disburse-
4 ments made;

5 “(B) the name and address of the person
6 or entity to whom a disbursement is made in an
7 aggregate amount in excess of \$200;

8 “(C) the date made, amount, and purpose
9 of the disbursement; and

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

14 (b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—
15 Section 301 of the Federal Election Campaign Act of
16 1971 (2 U.S.C. 431 et seq.) (as amended by section
17 201(b)) is further amended by adding at the end the fol-
18 lowing:

19 “(21) GENERIC CAMPAIGN ACTIVITY.—The
20 term ‘generic campaign activity’ means an activity
21 that promotes a political party and does not promote
22 a candidate or non-Federal candidate.”.

23 **SEC. 308. CAMPAIGN ADVERTISING.**

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

1 (1) in subsection (a)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by striking “Whenever” and insert-

5 ing “Whenever a political committee makes

6 a disbursement for the purpose of financ-

7 ing any communication through any broad-

8 casting station, newspaper, magazine, out-

9 door advertising facility, mailing, or any

10 other type of general public political adver-

11 tising, or whenever”;

12 (ii) by striking “an expenditure” and

13 inserting “a disbursement”; and

14 (iii) by striking “direct”; and

15 (B) in paragraph (3), by inserting “and

16 permanent street address” after “name”; and

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

18 “(c) Any printed communication described in sub-

19 section (a) shall—

20 “(1) be of sufficient type size to be clearly read-

21 able by the recipient of the communication;

22 “(2) be contained in a printed box set apart

23 from the other contents of the communication; and

1 “(3) be printed with a reasonable degree of
2 color contrast between the background and the
3 printed statement.

4 “(d)(1) Any communication described in paragraphs
5 (1) or (2) of subsection (a) which is transmitted through
6 radio or television shall include, in addition to the require-
7 ments of that paragraph, an audio statement by the can-
8 didate that identifies the candidate and states that the
9 candidate has approved the communication.

10 “(2) If a communication described in paragraph (1)
11 is transmitted through television, the communication shall
12 include, in addition to the audio statement under para-
13 graph (1), a written statement that—

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

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

21 “(e) Any communication described in paragraph (3)
22 of subsection (a) which is transmitted through radio or
23 television shall include, in addition to the requirements of
24 that paragraph, in a clearly spoken manner, the following
25 statement: ‘ _____ is responsible for the con-

1 tent of this advertisement.’ (with the blank to be filled in
 2 with the name of the political committee or other person
 3 paying for the communication and the name of any con-
 4 nected organization of the payor). If transmitted through
 5 television, the statement shall also appear in a clearly
 6 readable manner with a reasonable degree of color con-
 7 trast between the background and the printed statement,
 8 for a period of at least 4 seconds.”.

9 **TITLE IV—PERSONAL WEALTH** 10 **OPTION**

11 **SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE** 12 **LIMIT.**

13 Title III of the Federal Election Campaign Act of
 14 1971 (2 U.S.C. 431 et seq.), as amended by section 101,
 15 is further amended by adding at the end the following new
 16 section:

17 “VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT

18 “SEC. 324. (a) ELIGIBLE CONGRESSIONAL CAN-
 19 DIDATE.—

20 “(1) PRIMARY ELECTION.—

21 “(A) DECLARATION.—A candidate for elec-
 22 tion for Senator or Representative in or Dele-
 23 gate or Resident Commissioner to the Congress
 24 is an eligible primary election Congressional
 25 candidate if the candidate files with the Com-
 26 mission a declaration that the candidate and

1 the candidate's authorized committees will not
2 make expenditures in excess of the personal
3 funds expenditure limit.

4 “(B) TIME TO FILE.—The declaration
5 under subparagraph (A) shall be filed not later
6 than the date on which the candidate files with
7 the appropriate State officer as a candidate for
8 the primary election.

9 “(2) GENERAL ELECTION.—

10 “(A) DECLARATION.—A candidate for elec-
11 tion for Senator or Representative in or Dele-
12 gate or Resident Commissioner to the Congress
13 is an eligible general election Congressional can-
14 didate if the candidate files with the
15 Commission—

16 “(i) a declaration under penalty of
17 perjury, with supporting documentation as
18 required by the Commission, that the can-
19 didate and the candidate's authorized com-
20 mittees did not exceed the personal funds
21 expenditure limit in connection with the
22 primary election; and

23 “(ii) a declaration that the candidate
24 and the candidate's authorized committees

1 will not make expenditures in excess of the
2 personal funds expenditure limit.

3 “(B) TIME TO FILE.—The declaration
4 under subparagraph (A) shall be filed not later
5 than 7 days after the earlier of—

6 “(i) the date on which the candidate
7 qualifies for the general election ballot
8 under State law; or

9 “(ii) if under State law, a primary or
10 run-off election to qualify for the general
11 election ballot occurs after September 1,
12 the date on which the candidate wins the
13 primary or runoff election.

14 “(b) PERSONAL FUNDS EXPENDITURE LIMIT.—

15 “(1) IN GENERAL.—The aggregate amount of
16 expenditures that may be made in connection with
17 an election by an eligible Congressional candidate or
18 the candidate’s authorized committees from the
19 sources described in paragraph (2) shall not exceed
20 \$50,000.

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

23 “(A) personal funds of the candidate and
24 members of the candidate’s immediate family;
25 or

1 “(B) proceeds of indebtedness incurred by
2 the candidate or a member of the candidate’s
3 immediate family.

4 “(c) CERTIFICATION BY THE COMMISSION.—

5 “(1) IN GENERAL.—The Commission shall de-
6 termine whether a candidate has met the require-
7 ments of this section and, based on the determina-
8 tion, issue a certification stating whether the can-
9 didate is an eligible Congressional candidate.

10 “(2) TIME FOR CERTIFICATION.—Not later
11 than 7 business days after a candidate files a dec-
12 laration under paragraph (1) or (2) of subsection
13 (a), the Commission shall certify whether the can-
14 didate is an eligible Congressional candidate.

15 “(3) REVOCATION.—The Commission shall re-
16 voke a certification under paragraph (1), based on
17 information submitted in such form and manner as
18 the Commission may require or on information that
19 comes to the Commission by other means, if the
20 Commission determines that a candidate violates the
21 personal funds expenditure limit.

22 “(4) DETERMINATIONS BY COMMISSION.—A de-
23 termination made by the Commission under this
24 subsection shall be final, except to the extent that

1 the determination is subject to examination and
 2 audit by the Commission and to judicial review.

3 “(d) PENALTY.—If the Commission revokes the cer-
 4 tification of an eligible Congressional candidate—

5 “(1) the Commission shall notify the candidate
 6 of the revocation; and

7 “(2) the candidate and a candidate’s authorized
 8 committees shall pay to the Commission an amount
 9 equal to the amount of expenditures made by a na-
 10 tional committee of a political party or a State com-
 11 mittee of a political party in connection with the
 12 general election campaign of the candidate under
 13 section 315(d).”.

14 **SEC. 402. POLITICAL PARTY COMMITTEE COORDINATED**
 15 **EXPENDITURES.**

16 Section 315(d) of the Federal Election Campaign Act
 17 of 1971 (2 U.S.C. 441a(d)) (as amended by section 204)
 18 is amended by adding at the end the following:

19 “(5) This subsection does not apply to expenditures
 20 made in connection with the general election campaign of
 21 a candidate for Senator or Representative in or Delegate
 22 or Resident Commissioner to the Congress who is not an
 23 eligible Congressional candidate (as defined in section
 24 324(a)).”.

1 **TITLE V—MISCELLANEOUS**

2 **SEC. 501. CODIFICATION OF BECK DECISION.**

3 Section 8 of the National Labor Relations Act (29
4 U.S.C. 158) is amended by adding at the end the following
5 new subsection:

6 “(h) NONUNION MEMBER PAYMENTS TO LABOR OR-
7 GANIZATION.—

8 “(1) IN GENERAL.—It shall be an unfair labor
9 practice for any labor organization which receives a
10 payment from an employee pursuant to an agree-
11 ment that requires employees who are not members
12 of the organization to make payments to such orga-
13 nization in lieu of organization dues or fees not to
14 establish and implement the objection procedure de-
15 scribed in paragraph (2).

16 “(2) OBJECTION PROCEDURE.—The objection
17 procedure required under paragraph (1) shall meet
18 the following requirements:

19 “(A) The labor organization shall annually
20 provide to employees who are covered by such
21 agreement but are not members of the
22 organization—

23 “(i) reasonable personal notice of the
24 objection procedure, a list of the employees
25 eligible to invoke the procedure, and the

1 time, place, and manner for filing an objec-
2 tion; and

3 “(ii) reasonable opportunity to file an
4 objection to paying for organization ex-
5 penditures supporting political activities
6 unrelated to collective bargaining, includ-
7 ing but not limited to the opportunity to
8 file such objection by mail.

9 “(B) If an employee who is not a member
10 of the labor organization files an objection
11 under the procedure in subparagraph (A), such
12 organization shall—

13 “(i) reduce the payments in lieu of or-
14 ganization dues or fees by such employee
15 by an amount which reasonably reflects the
16 ratio that the organization’s expenditures
17 supporting political activities unrelated to
18 collective bargaining bears to such organi-
19 zation’s total expenditures; and

20 “(ii) provide such employee with a
21 reasonable explanation of the organiza-
22 tion’s calculation of such reduction, includ-
23 ing calculating the amount of organization
24 expenditures supporting political activities
25 unrelated to collective bargaining.

1 “(3) DEFINITION.—In this subsection, the term
 2 ‘expenditures supporting political activities unrelated
 3 to collective bargaining’ means expenditures in con-
 4 nection with a Federal, State, or local election or in
 5 connection with efforts to influence legislation unre-
 6 lated to collective bargaining.”.

7 **SEC. 502. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN**
 8 **PURPOSES.**

9 Title III of the Federal Election Campaign Act of
 10 1971 (2 U.S.C. 431 et seq.) is amended by striking section
 11 313 and inserting the following:

12 “USE OF CONTRIBUTED AMOUNTS FOR CERTAIN
 13 PURPOSES

14 “SEC. 313. (a) PERMITTED USES.—A contribution
 15 accepted by a candidate, and any other amount received
 16 by an individual as support for activities of the individual
 17 as a holder of Federal office, may be used by the candidate
 18 or individual—

19 “(1) for expenditures in connection with the
 20 campaign for Federal office of the candidate or indi-
 21 vidual;

22 “(2) for ordinary and necessary expenses in-
 23 curred in connection with duties of the individual as
 24 a holder of Federal office;

1 “(3) for contributions to an organization de-
2 scribed in section 170(c) of the Internal Revenue
3 Code of 1986; or

4 “(4) for transfers to a national, State, or local
5 committee of a political party.

6 “(b) PROHIBITED USE.—

7 “(1) IN GENERAL.—A contribution or amount
8 described in subsection (a) shall not be converted by
9 any person to personal use.

10 “(2) CONVERSION.—For the purposes of para-
11 graph (1), a contribution or amount shall be consid-
12 ered to be converted to personal use if the contribu-
13 tion or amount is used to fulfill any commitment,
14 obligation, or expense of a person that would exist
15 irrespective of the candidate’s election campaign or
16 individual’s duties as a holder of Federal office-
17 holder, including—

18 “(A) a home mortgage, rent, or utility pay-
19 ment;

20 “(B) a clothing purchase;

21 “(C) a noncampaign-related automobile ex-
22 pense;

23 “(D) a country club membership;

24 “(E) a vacation or other noncampaign-re-
25 lated trip;

1 “(F) a household food item;

2 “(G) a tuition payment;

3 “(H) admission to a sporting event, con-
4 cert, theater, or other form of entertainment
5 not associated with an election campaign; and

6 “(I) dues, fees, and other payments to a
7 health club or recreational facility.”.

8 **SEC. 503. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**
9 **ING PRIVILEGE.**

10 Section 3210(a)(6) of title 39, United States Code,
11 is amended by striking subparagraph (A) and inserting
12 the following:

13 “(A) A Member of Congress shall not mail
14 any mass mailing as franked mail during the
15 180-day period which ends on the date of the
16 general election for the office held by the Mem-
17 ber or during the 90-day period which ends on
18 the date of any primary election for that office,
19 unless the Member has made a public an-
20 nouncement that the Member will not be a can-
21 didate for reelection during that year or for
22 election to any other Federal office.”.

1 **SEC. 504. PROHIBITION OF FUNDRAISING ON FEDERAL**
2 **PROPERTY.**

3 Section 607 of title 18, United States Code, is
4 amended—

5 (1) by striking subsection (a) and inserting the
6 following:

7 “(a) PROHIBITION.—

8 “(1) IN GENERAL.—It shall be unlawful for any
9 person to solicit or receive a donation of money or
10 other thing of value in connection with a Federal,
11 State, or local election from a person who is located
12 in a room or building occupied in the discharge of
13 official duties by an officer or employee of the
14 United States. An individual who is an officer or
15 employee of the Federal Government, including the
16 President, Vice President, and Members of Con-
17 gress, shall not solicit a donation of money or other
18 thing of value in connection with a Federal, State,
19 or local election while in any room or building occu-
20 pied in the discharge of official duties by an officer
21 or employee of the United States, from any person.

22 “(2) PENALTY.—A person who violates this sec-
23 tion shall be fined not more than \$5,000, imprisoned
24 more than 3 years, or both.”; and

25 (2) in subsection (b), by inserting “or Executive
26 Office of the President” after “Congress”.

1 **SEC. 505. PENALTIES FOR VIOLATIONS.**

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

5 (1) in paragraphs (5)(A), (6)(A), and (6)(B),
6 by striking “\$5,000” and inserting “\$10,000”; and

7 (2) in paragraphs (5)(B) and (6)(C), by strik-
8 ing “\$10,000 or an amount equal to 200 percent”
9 and inserting “\$20,000 or an amount equal to 300
10 percent”.

11 (b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of
12 the Federal Election Campaign Act of 1971 (2 U.S.C.
13 437g(a)(5)) is amended by striking the period at the end
14 and inserting “, and may include equitable remedies or
15 penalties, including disgorgement of funds to the Treasury
16 or community service requirements (including require-
17 ments to participate in public education programs).”.

18 (c) AUTOMATIC PENALTY FOR LATE FILING.—Sec-
19 tion 309(a) of the Federal Election Campaign Act of 1971
20 (2 U.S.C. 437g(a)) is amended—

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

22 “(13) PENALTY FOR LATE FILING.—

23 “(A) IN GENERAL.—

24 “(i) MONETARY PENALTIES.—The Com-
25 mission shall establish a schedule of mandatory
26 monetary penalties that shall be imposed by the

1 Commission for failure to meet a time require-
2 ment for filing under section 304.

3 “(ii) REQUIRED FILING.—In addition to
4 imposing a penalty, the Commission may re-
5 quire a report that has not been filed within the
6 time requirements of section 304 to be filed by
7 a specific date.

8 “(iii) PROCEDURE.—A penalty or filing re-
9 quirement imposed under this paragraph shall
10 not be subject to paragraph (1), (2), (3), (4),
11 (5), or (12).

12 “(B) FILING AN EXCEPTION.—

13 “(i) TIME TO FILE.—A political committee
14 shall have 30 days after the imposition of a
15 penalty or filing requirement by the Commis-
16 sion under this paragraph in which to file an
17 exception with the Commission.

18 “(ii) TIME FOR COMMISSION TO RULE.—
19 Within 30 days after receiving an exception, the
20 Commission shall make a determination that is
21 a final agency action subject to exclusive review
22 by the United States Court of Appeals for the
23 District of Columbia Circuit under section 706
24 of title 5, United States Code, upon petition
25 filed in that court by the political committee or

1 treasurer that is the subject of the agency ac-
 2 tion, if the petition is filed within 30 days after
 3 the date of the Commission action for which re-
 4 view is sought.”;

5 (2) in paragraph (5)(D)—

6 (A) by inserting after the first sentence the
 7 following: “In any case in which a penalty or
 8 filing requirement imposed on a political com-
 9 mittee or treasurer under paragraph (13) has
 10 not been satisfied, the Commission may insti-
 11 tute a civil action for enforcement under para-
 12 graph (6)(A).”; and

13 (B) by inserting before the period at the
 14 end of the last sentence the following: “or has
 15 failed to pay a penalty or meet a filing require-
 16 ment imposed under paragraph (13)”; and

17 (3) in paragraph (6)(A), by striking “paragraph
 18 (4)(A)” and inserting “paragraph (4)(A) or (13)”.

19 **SEC. 506. STRENGTHENING FOREIGN MONEY BAN.**

20 (a) IN GENERAL.—Section 319 of the Federal Elec-
 21 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended—

22 (1) by striking the heading and inserting the
 23 following: “CONTRIBUTIONS AND DONATIONS BY
 24 FOREIGN NATIONALS”; and

1 (2) by striking subsection (a) and inserting the
 2 following:

3 “(a) PROHIBITION.—It shall be unlawful for—

4 “(1) a foreign national, directly or indirectly, to
 5 make—

6 “(A) a donation of money or other thing of
 7 value, or to promise expressly or impliedly to
 8 make a donation, in connection with a Federal,
 9 State, or local election, or

10 “(B) a contribution or donation to a com-
 11 mittee of a political party; or

12 “(2) a person to solicit, accept, or receive such
 13 a contribution or donation from a foreign national.”.

14 (b) PROHIBITING USE OF WILLFUL BLINDNESS AS
 15 DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN
 16 CONTRIBUTION BAN.—

17 (1) IN GENERAL.—Section 319 of such Act (2
 18 U.S.C. 441e) is amended—

19 (A) by redesignating subsection (b) as sub-
 20 section (c); and

21 (B) by inserting after subsection (a) the
 22 following new subsection:

23 “(b) PROHIBITING USE OF WILLFUL BLINDNESS
 24 DEFENSE.—It shall not be a defense to a violation of sub-
 25 section (a) that the defendant did not know that the con-

1 tribution originated from a foreign national if the defend-
 2 ant should have known that the contribution originated
 3 from a foreign national, except that the trier of fact may
 4 not find that the defendant should have known that the
 5 contribution originated from a foreign national solely be-
 6 cause of the name of the contributor.”.

7 (2) **EFFECTIVE DATE.**—The amendments made
 8 by this subsection shall apply with respect to viola-
 9 tions occurring on or after the date of the enactment
 10 of this Act.

11 **SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.**

12 Title III of the Federal Election Campaign Act of
 13 1971 (2 U.S.C. 431 et seq.), as amended by sections 101
 14 and 401, is further amended by adding at the end the
 15 following new section:

16 “PROHIBITION OF CONTRIBUTIONS BY MINORS

17 “SEC. 325. An individual who is 17 years old or
 18 younger shall not make a contribution to a candidate or
 19 a contribution or donation to a committee of a political
 20 party.”.

21 **SEC. 508. EXPEDITED PROCEDURES.**

22 (a) **IN GENERAL.**—Section 309(a) of the Federal
 23 Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as
 24 amended by section 505(c)) is amended by adding at the
 25 end the following:

1 “(14)(A) If the complaint in a proceeding was filed
2 within 60 days preceding the date of a general election,
3 the Commission may take action described in this sub-
4 paragraph.

5 “(B) If the Commission determines, on the basis of
6 facts alleged in the complaint and other facts available to
7 the Commission, that there is clear and convincing evi-
8 dence that a violation of this Act has occurred, is occur-
9 ring, or is about to occur, the Commission may order expe-
10 dited proceedings, shortening the time periods for proceed-
11 ings under paragraphs (1), (2), (3), and (4) as necessary
12 to allow the matter to be resolved in sufficient time before
13 the election to avoid harm or prejudice to the interests
14 of the parties.

15 “(C) If the Commission determines, on the basis of
16 facts alleged in the complaint and other facts available to
17 the Commission, that the complaint is clearly without
18 merit, the Commission may—

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

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

4 (b) REFERRAL TO ATTORNEY GENERAL.—Section
5 309(a)(5) of the Federal Election Campaign Act of 1971
6 (2 U.S.C. 437g(a)(5)) is amended by striking subpara-
7 graph (C) and inserting the following:

8 “(C) The Commission may at any time, by an affirm-
9 ative vote of at least 4 of its members, refer a possible
10 violation of this Act or chapter 95 or 96 of the Internal
11 Revenue Code of 1986, to the Attorney General of the
12 United States, without regard to any limitation set forth
13 in this section.”.

14 **SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.**

15 Section 309(a)(2) of the Federal Election Campaign
16 Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking
17 “reason to believe that” and inserting “reason to inves-
18 tigate whether”.

19 **SEC. 510. PROTECTING EQUAL PARTICIPATION OF ELIGI-**
20 **BLE VOTERS IN CAMPAIGNS AND ELECTIONS.**

21 Title III of the Federal Election Campaign Act of
22 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
23 401, and 507, is further amended by adding at the end
24 the following new section:

1 “PROTECTING EQUAL PARTICIPATION OF ELIGIBLE
2 VOTERS IN CAMPAIGNS AND ELECTIONS

3 “SEC. 326. (a) IN GENERAL.—Nothing in this Act
4 may be construed to prohibit any individual eligible to vote
5 in an election for Federal office from making contributions
6 or expenditures in support of a candidate for such an elec-
7 tion (including voluntary contributions or expenditures
8 made through a separate segregated fund established by
9 the individual’s employer or labor organization) or other-
10 wise participating in any campaign for such an election
11 in the same manner and to the same extent as any other
12 individual eligible to vote in an election for such office.

13 “(b) NO EFFECT ON GEOGRAPHIC RESTRICTIONS ON
14 CONTRIBUTIONS.—Subsection (a) may not be construed
15 to affect any restriction under this title regarding the por-
16 tion of contributions accepted by a candidate from persons
17 residing in a particular geographic area.”.

18 **SEC. 511. PENALTY FOR VIOLATION OF PROHIBITION**
19 **AGAINST FOREIGN CONTRIBUTIONS.**

20 (a) IN GENERAL.—Section 319 of the Federal Elec-
21 tion Campaign Act of 1971 (2 U.S.C. 441e), as amended
22 by section 506(b), is further amended—

23 (1) by redesignating subsection (c) as sub-
24 section (d); and

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

3 “(c) PENALTY.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), notwithstanding any other provision of
6 this title any person who violates subsection (a) shall
7 be sentenced to a term of imprisonment which may
8 not be more than 10 years, fined in an amount not
9 to exceed \$1,000,000, or both.

10 “(2) EXCEPTION.—Paragraph (1) shall not
11 apply with respect to any violation of subsection (a)
12 arising from a contribution or donation made by an
13 individual who is lawfully admitted for permanent
14 residence (as defined in section 101(a)(22) of the
15 Immigration and Nationality Act).”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to violations occurring
18 on or after the date of the enactment of this Act.

19 **SEC. 512. EXPEDITED COURT REVIEW OF CERTAIN AL-**
20 **LEGED VIOLATIONS OF FEDERAL ELECTION**
21 **CAMPAIGN ACT OF 1971.**

22 (a) IN GENERAL.—Section 309 of the Federal Elec-
23 tion Campaign Act of 1971 (2 U.S.C. 437g) is amended—

24 (1) by redesignating subsection (d) as sub-
25 section (e); and

1 (2) by inserting after subsection (c) the follow-
2 ing new subsection:

3 “(d) Notwithstanding any other provision of this sec-
4 tion, if a candidate (or the candidate’s authorized commit-
5 tee) believes that a violation described in paragraph (2)
6 has been committed with respect to an election during the
7 90-day period preceding the date of the election, the can-
8 didate or committee may institute a civil action on behalf
9 of the Commission for relief (including injunctive relief)
10 against the alleged violator in the same manner and under
11 the same terms and conditions as an action instituted by
12 the Commission under subsection (a)(6), except that the
13 court involved shall issue a decision regarding the action
14 as soon as practicable after the action is instituted and
15 to the greatest extent possible issue the decision prior to
16 the date of the election involved.

17 “(2) A violation described in this paragraph is a vio-
18 lation of this Act or of chapter 95 or chapter 96 of the
19 Internal Revenue Code of 1986 relating to—

20 “(A) whether a contribution is in excess of an
21 applicable limit or is otherwise prohibited under this
22 Act; or

23 “(B) whether an expenditure is an independent
24 expenditure under section 301(17).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to elections occurring
3 after the date of the enactment of this Act.

4 **SEC. 513. CONSPIRACY TO VIOLATE PRESIDENTIAL CAM-**
5 **PAIGN SPENDING LIMITS.**

6 (a) IN GENERAL.—Section 9003 of the Internal Rev-
7 enue Code of 1986 (26 U.S.C. 9003) is amended by add-
8 ing at the end the following new subsection:

9 “(g) PROHIBITING CONSPIRACY TO VIOLATE LIM-
10 ITS.—

11 “(1) VIOLATION OF LIMITS DESCRIBED.—If a
12 candidate for election to the office of President or
13 Vice President who receives amounts from the Presi-
14 dential Election Campaign Fund under chapter 95
15 or 96 of the Internal Revenue Code of 1986, or the
16 agent of such a candidate, seeks to avoid the spend-
17 ing limits applicable to the candidate under such
18 chapter or under the Federal Election Campaign Act
19 of 1971 by soliciting, receiving, transferring, or di-
20 recting funds from any source other than such Fund
21 for the direct or indirect benefit of such candidate’s
22 campaign, such candidate or agent shall be fined not
23 more than \$1,000,000, or imprisoned for a term of
24 not more than 3 years, or both.

1 “(2) CONSPIRACY TO VIOLATE LIMITS DE-
 2 FINED.—If two or more persons conspire to violate
 3 paragraph (1), and one or more of such persons do
 4 any act to effect the object of the conspiracy, each
 5 shall be fined not more than \$1,000,000, or impris-
 6 oned for a term of not more than 3 years, or both.”.

7 (b) EFFECTIVE DATE.—The amendment made by
 8 this section shall apply with respect to elections occurring
 9 on or after the date of the enactment of this Act.

10 **SEC. 514. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DO-**
 11 **NATIONS IN TREASURY ACCOUNT.**

12 (a) IN GENERAL.—Title III of the Federal Election
 13 Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended
 14 by sections 101, 401, 507, and 510, is further amended
 15 by adding at the end the following new section:

16 “TREATMENT OF CERTAIN CONTRIBUTIONS AND
 17 DONATIONS TO BE RETURNED TO DONORS

18 “SEC. 327. (a) TRANSFER TO COMMISSION.—

19 “(1) IN GENERAL.—Notwithstanding any other
 20 provision of this Act, if a political committee intends
 21 to return any contribution or donation given to the
 22 political committee, the committee shall transfer the
 23 contribution or donation to the Commission if—

24 “(A) the contribution or donation is in an
 25 amount equal to or greater than \$500 (other

1 than a contribution or donation returned within
2 60 days of receipt by the committee); or

3 “(B) the contribution or donation was
4 made in violation of section 315, 316, 317, 319,
5 320, or 325 (other than a contribution or dona-
6 tion returned within 30 days of receipt by the
7 committee).

8 “(2) INFORMATION INCLUDED WITH TRANS-
9 FERRED CONTRIBUTION OR DONATION.—A political
10 committee shall include with any contribution or do-
11 nation transferred under paragraph (1)—

12 “(A) a request that the Commission return
13 the contribution or donation to the person mak-
14 ing the contribution or donation; and

15 “(B) information regarding the cir-
16 cumstances surrounding the making of the con-
17 tribution or donation and any opinion of the po-
18 litical committee concerning whether the con-
19 tribution or donation may have been made in
20 violation of this Act.

21 “(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

22 “(A) IN GENERAL.—The Commission shall
23 establish a single interest-bearing escrow ac-
24 count for deposit of amounts transferred under
25 paragraph (1).

1 “(B) DISPOSITION OF AMOUNTS RE-
2 CEIVED.—On receiving an amount from a polit-
3 ical committee under paragraph (1), the Com-
4 mission shall—

5 “(i) deposit the amount in the escrow
6 account established under subparagraph
7 (A); and

8 “(ii) notify the Attorney General and
9 the Commissioner of the Internal Revenue
10 Service of the receipt of the amount from
11 the political committee.

12 “(C) USE OF INTEREST.—Interest earned
13 on amounts in the escrow account established
14 under subparagraph (A) shall be applied or
15 used for the same purposes as the donation or
16 contribution on which it is earned.

17 “(4) TREATMENT OF RETURNED CONTRIBU-
18 TION OR DONATION AS A COMPLAINT.—The transfer
19 of any contribution or donation to the Commission
20 under this section shall be treated as the filing of a
21 complaint under section 309(a).

22 “(b) USE OF AMOUNTS PLACED IN ESCROW TO
23 COVER FINES AND PENALTIES.—The Commission or the
24 Attorney General may require any amount deposited in
25 the escrow account under subsection (a)(3) to be applied

1 toward the payment of any fine or penalty imposed under
2 this Act or title 18, United States Code, against the per-
3 son making the contribution or donation.

4 “(c) RETURN OF CONTRIBUTION OR DONATION
5 AFTER DEPOSIT IN ESCROW.—

6 “(1) IN GENERAL.—The Commission shall re-
7 turn a contribution or donation deposited in the es-
8 crow account under subsection (a)(3) to the person
9 making the contribution or donation if—

10 “(A) within 180 days after the date the
11 contribution or donation is transferred, the
12 Commission has not made a determination
13 under section 309(a)(2) that the Commission
14 has reason to investigate whether that the mak-
15 ing of the contribution or donation was made in
16 violation of this Act; or

17 “(B)(i) the contribution or donation will
18 not be used to cover fines, penalties, or costs
19 pursuant to subsection (b); or

20 “(ii) if the contribution or donation will be
21 used for those purposes, that the amounts re-
22 quired for those purposes have been withdrawn
23 from the escrow account and subtracted from
24 the returnable contribution or donation.

1 “(2) NO EFFECT ON STATUS OF INVESTIGA-
2 TION.—The return of a contribution or donation by
3 the Commission under this subsection shall not be
4 construed as having an effect on the status of an in-
5 vestigation by the Commission or the Attorney Gen-
6 eral of the contribution or donation or the cir-
7 cumstances surrounding the contribution or dona-
8 tion, or on the ability of the Commission or the At-
9 torney General to take future actions with respect to
10 the contribution or donation.”.

11 (b) AMOUNTS USED TO DETERMINE AMOUNT OF
12 PENALTY FOR VIOLATION.—Section 309(a) of such Act
13 (2 U.S.C. 437g(a)) is amended by inserting after para-
14 graph (9) the following new paragraph:

15 “(10) For purposes of determining the amount of a
16 civil penalty imposed under this subsection for violations
17 of section 326, the amount of the donation involved shall
18 be treated as the amount of the contribution involved.”.

19 (c) DISGORGEMENT AUTHORITY.—Section 309 of
20 such Act (2 U.S.C. 437g) is amended by adding at the
21 end the following new subsection:

22 “(e) Any conciliation agreement, civil action, or crimi-
23 nal action entered into or instituted under this section
24 may require a person to forfeit to the Treasury any con-
25 tribution, donation, or expenditure that is the subject of

1 the agreement or action for transfer to the Commission
2 for deposit in accordance with section 326.”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 subsections (a) and (b) shall apply to contributions or do-
5 nations refunded on or after the date of the enactment
6 of this Act, without regard to whether the Federal Elec-
7 tion Commission or Attorney General has issued regula-
8 tions to carry out section 326 of the Federal Election
9 Campaign Act of 1971 (as added by subsection (a)) by
10 such date.

11 **SEC. 515. ESTABLISHMENT OF A CLEARINGHOUSE OF IN-**
12 **FORMATION ON POLITICAL ACTIVITIES WITH-**
13 **IN THE FEDERAL ELECTION COMMISSION.**

14 (a) ESTABLISHMENT.—There shall be established
15 within the Federal Election Commission a clearinghouse
16 of public information regarding the political activities of
17 foreign principals and agents of foreign principals. The in-
18 formation comprising this clearinghouse shall include only
19 the following:

20 (1) All registrations and reports filed pursuant
21 to the Lobbying Disclosure Act of 1995 (2 U.S.C.
22 1601 et seq.) during the preceding 5-year period.

23 (2) All registrations and reports filed pursuant
24 to the Foreign Agents Registration Act, as amended

1 (22 U.S.C. 611 et seq.), during the preceding 5-year
2 period.

3 (3) The listings of public hearings, hearing wit-
4 nesses, and witness affiliations printed in the Con-
5 gressional Record during the preceding 5-year pe-
6 riod.

7 (4) Public information disclosed pursuant to the
8 rules of the Senate or the House of Representatives
9 regarding honoraria, the receipt of gifts, travel, and
10 earned and unearned income.

11 (5) All reports filed pursuant to title I of the
12 Ethics in Government Act of 1978 (5 U.S.C. App.)
13 during the preceding 5-year period.

14 (6) All public information filed with the Federal
15 Election Commission pursuant to the Federal Elec-
16 tion Campaign Act of 1971 (2 U.S.C. 431 et seq.)
17 during the preceding 5-year period.

18 (b) DISCLOSURE OF OTHER INFORMATION PROHIB-
19 ITED.—The disclosure by the clearinghouse, or any officer
20 or employee thereof, of any information other than that
21 set forth in subsection (a) is prohibited, except as other-
22 wise provided by law.

23 (c) DIRECTOR OF CLEARINGHOUSE.—

24 (1) DUTIES.—The clearinghouse shall have a
25 Director, who shall administer and manage the re-

1 sponsibilities and all activities of the clearinghouse.

2 In carrying out such duties, the Director shall—

3 (A) develop a filing, coding, and cross-in-
4 dexing system to carry out the purposes of this
5 section (which shall include an index of all per-
6 sons identified in the reports, registrations, and
7 other information comprising the clearing-
8 house);

9 (B) notwithstanding any other provision of
10 law, make copies of registrations, reports, and
11 other information comprising the clearinghouse
12 available for public inspection and copying, be-
13 ginning not later than 30 days after the infor-
14 mation is first available to the public, and per-
15 mit copying of any such registration, report, or
16 other information by hand or by copying ma-
17 chine or, at the request of any person, furnish
18 a copy of any such registration, report, or other
19 information upon payment of the cost of mak-
20 ing and furnishing such copy, except that no in-
21 formation contained in such registration or re-
22 port and no such other information shall be
23 sold or used by any person for the purpose of
24 soliciting contributions or for any profit-making
25 purpose; and

1 (C) not later than 150 days after the date
2 of the enactment of this Act and at any time
3 thereafter, to prescribe, in consultation with the
4 Comptroller General, such rules, regulations,
5 and forms, in conformity with the provisions of
6 chapter 5 of title 5, United States Code, as are
7 necessary to carry out the provisions of this
8 section in the most effective and efficient man-
9 ner.

10 (2) APPOINTMENT.—The Director shall be ap-
11 pointed by the Federal Election Commission.

12 (3) TERM OF SERVICE.—The Director shall
13 serve a single term of a period of time determined
14 by the Commission, but not to exceed 5 years.

15 (d) PENALTIES FOR DISCLOSURE OF INFORMA-
16 TION.—Any person who discloses information in violation
17 of subsection (b), and any person who sells or uses infor-
18 mation for the purpose of soliciting contributions or for
19 any profit-making purpose in violation of subsection
20 (c)(1)(B), shall be imprisoned for a period of not more
21 than 1 year, or fined in the amount provided in title 18,
22 United States Code, or both.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated such sums as may be
25 necessary to conduct the activities of the clearinghouse.

1 (f) FOREIGN PRINCIPAL.—In this section, the term
2 “foreign principal” shall have the same meaning given the
3 term “foreign national” under section 319 of the Federal
4 Election Campaign Act of 1971 (2 U.S.C. 441e), as in
5 effect as of the date of the enactment of this Act.

6 **SEC. 516. ENFORCEMENT OF SPENDING LIMIT ON PRESI-**
7 **DENTIAL AND VICE PRESIDENTIAL CAN-**
8 **DIDATES WHO RECEIVE PUBLIC FINANCING.**

9 (a) IN GENERAL.—Section 9003 of the Internal Rev-
10 enue Code of 1986 (26 U.S.C. 9003) is amended by add-
11 ing at the end the following new subsection:

12 “(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No
13 candidate for election to the office of President or Vice
14 President may receive amounts from the Presidential
15 Election Campaign Fund under this chapter or chapter
16 96 unless the candidate certifies that the candidate shall
17 not solicit any funds for the purposes of influencing such
18 election, including any funds used for an independent ex-
19 penditure under the Federal Election Campaign Act of
20 1971, unless the funds are subject to the limitations, pro-
21 hibitions, and reporting requirements of the Federal Elec-
22 tion Campaign Act of 1971.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 this section shall apply with respect to elections occurring
25 on or after the date of the enactment of this Act.

1 **TITLE VI—INDEPENDENT COM-**
2 **MISSION ON CAMPAIGN FI-**
3 **NANCE REFORM**

4 **SEC. 601. ESTABLISHMENT AND PURPOSE OF COMMISSION.**

5 There is established a commission to be known as the
6 “Independent Commission on Campaign Finance Reform”
7 (referred to in this title as the “Commission”). The pur-
8 poses of the Commission are to study the laws relating
9 to the financing of political activity and to report and rec-
10 ommend legislation to reform those laws.

11 **SEC. 602. MEMBERSHIP OF COMMISSION.**

12 (a) COMPOSITION.—The Commission shall be com-
13 posed of 12 members appointed within 15 days after the
14 date of the enactment of this Act by the President from
15 among individuals who are not incumbent Members of
16 Congress and who are specially qualified to serve on the
17 Commission by reason of education, training, or experi-
18 ence.

19 (b) APPOINTMENT.—

20 (1) IN GENERAL.—Members shall be appointed
21 as follows:

22 (A) Three members (one of whom shall be
23 a political independent) shall be appointed from
24 among a list of nominees submitted by the
25 Speaker of the House of Representatives.

1 (B) Three members (one of whom shall be
2 a political independent) shall be appointed from
3 among a list of nominees submitted by the ma-
4 jority leader of the Senate.

5 (C) Three members (one of whom shall be
6 a political independent) shall be appointed from
7 among a list of nominees submitted by the mi-
8 nority leader of the House of Representatives.

9 (D) Three members (one of whom shall be
10 a political independent) shall be appointed from
11 among a list of nominees submitted by the mi-
12 nority leader of the Senate.

13 (2) FAILURE TO SUBMIT LIST OF NOMINEES.—
14 If an official described in any of the subparagraphs
15 of paragraph (1) fails to submit a list of nominees
16 to the President during the 15-day period which be-
17 gins on the date of the enactment of this Act—

18 (A) such subparagraph shall no longer
19 apply; and

20 (B) the President shall appoint three mem-
21 bers (one of whom shall be a political independ-
22 ent) who meet the requirements described in
23 subsection (a) and such other criteria as the
24 President may apply.

1 (3) POLITICAL INDEPENDENT DEFINED.—In
2 this subsection, the term “political independent”
3 means an individual who at no time after January
4 1992—

5 (A) has held elective office as a member of
6 the Democratic or Republican party;

7 (B) has received any wages or salary from
8 the Democratic or Republican party or from a
9 Democratic or Republican party office-holder or
10 candidate; or

11 (C) has provided substantial volunteer
12 services or made any substantial contribution to
13 the Democratic or Republican party or to a
14 Democratic or Republican party office-holder or
15 candidate.

16 (c) CHAIRMAN.—At the time of the appointment, the
17 President shall designate one member of the Commission
18 as Chairman of the Commission.

19 (d) TERMS.—The members of the Commission shall
20 serve for the life of the Commission.

21 (e) VACANCIES.—A vacancy in the Commission shall
22 be filled in the manner in which the original appointment
23 was made.

1 (f) POLITICAL AFFILIATION.—Not more than four
2 members of the Commission may be of the same political
3 party.

4 **SEC. 603. POWERS OF COMMISSION.**

5 (a) HEARINGS.—The Commission may, for the pur-
6 pose of carrying out this title, hold hearings, sit and act
7 at times and places, take testimony, and receive evidence
8 as the Commission considers appropriate. In carrying out
9 the preceding sentence, the Commission shall ensure that
10 a substantial number of its meetings are open meetings,
11 with significant opportunities for testimony from members
12 of the general public.

13 (b) QUORUM.—Seven members of the Commission
14 shall constitute a quorum, but a lesser number may hold
15 hearings. The approval of at least nine members of the
16 Commission is required when approving all or a portion
17 of the recommended legislation. Any member of the Com-
18 mission may, if authorized by the Commission, take any
19 action which the Commission is authorized to take under
20 this section.

21 **SEC. 604. ADMINISTRATIVE PROVISIONS.**

22 (a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1)
23 Each member of the Commission shall be paid at a rate
24 equal to the daily equivalent of the annual rate of basic
25 pay payable for level IV of the Executive Schedule under

1 section 5315 of title 5, United States Code, for each day
2 (including travel time) during which the member is en-
3 gaged in the actual performance of duties vested in the
4 Commission.

5 (2) Members of the Commission shall receive travel
6 expenses, including per diem in lieu of subsistence, in ac-
7 cordance with sections 5702 and 5703 of title 5, United
8 States Code.

9 (b) STAFF DIRECTOR.—The Commission shall, with-
10 out regard to section 5311(b) of title 5, United States
11 Code, appoint a staff director, who shall be paid at the
12 rate of basic pay payable for level IV of the Executive
13 Schedule under section 5315 of title 5, United States
14 Code.

15 (c) STAFF OF COMMISSION; SERVICES.—

16 (1) IN GENERAL.—With the approval of the
17 Commission, the staff director of the Commission
18 may appoint and fix the pay of additional personnel.
19 The Director may make such appointments without
20 regard to the provisions of title 5, United States
21 Code, governing appointments in the competitive
22 service, and any personnel so appointed may be paid
23 without regard to the provisions of chapter 51 and
24 subchapter III of chapter 53 of that title relating to
25 classification and General Schedule pay rates, except

1 that an individual so appointed may not receive pay
2 in excess of the maximum annual rate of basic pay
3 payable for grade GS-15 of the General Schedule
4 under section 5332 of title 5, United States Code.

5 (2) EXPERTS AND CONSULTANTS.—The Com-
6 mission may procure by contract the temporary or
7 intermittent services of experts or consultants pursu-
8 ant to section 3109 of title 5, United States Code.

9 **SEC. 605. REPORT AND RECOMMENDED LEGISLATION.**

10 (a) REPORT.—Not later than the expiration of the
11 180-day period which begins on the date on which the sec-
12 ond session of the One Hundred Sixth Congress adjourns
13 sine die, the Commission shall submit to the President,
14 the Speaker and minority leader of the House of Rep-
15 resentatives, and the majority and minority leaders of the
16 Senate a report of the activities of the Commission.

17 (b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—
18 The report under subsection (a) shall include any rec-
19 ommendations for changes in the laws (including regula-
20 tions) governing the financing of political activity (taking
21 into account the provisions of this Act and the amend-
22 ments made by this Act), including any changes in the
23 rules of the Senate or the House of Representatives, to
24 which nine or more members of the Commission may
25 agree, together with drafts of—

1 (1) any legislation (including technical and con-
2 forming provisions) recommended by the Commis-
3 sion to implement such recommendations; and

4 (2) any proposed amendment to the Constitu-
5 tion recommended by the Commission as necessary
6 to implement such recommendations, except that if
7 the Commission includes such a proposed amend-
8 ment in its report, it shall also include recommenda-
9 tions (and drafts) for legislation which may be im-
10 plemented prior to the adoption of such proposed
11 amendment.

12 (c) GOALS OF RECOMMENDATIONS AND LEGISLA-
13 TION.—In making recommendations and preparing drafts
14 of legislation under this section, the Commission shall con-
15 sider the following to be its primary goals:

16 (1) Encouraging fair and open Federal elections
17 which provide voters with meaningful information
18 about candidates and issues.

19 (2) Eliminating the disproportionate influence
20 of special interest financing of Federal elections.

21 (3) Creating a more equitable electoral system
22 for challengers and incumbents.

1 **SEC. 606. EXPEDITED CONGRESSIONAL CONSIDERATION**
2 **OF LEGISLATION.**

3 (a) IN GENERAL.—If any legislation is introduced the
4 substance of which implements a recommendation of the
5 Commission submitted under section 605(b) (including a
6 joint resolution proposing an amendment to the Constitu-
7 tion), subject to subsection (b), the provisions of section
8 2908 (other than subsection (a)) of the Defense Base Clo-
9 sure and Realignment Act of 1990 shall apply to the con-
10 sideration of the legislation in the same manner as such
11 provisions apply to a joint resolution described in section
12 2908(a) of such Act.

13 (b) SPECIAL RULES.—For purposes of applying sub-
14 section (a) with respect to such provisions, the following
15 rules shall apply:

16 (1) Any reference to the Committee on Armed
17 Services of the House of Representatives shall be
18 deemed a reference to the Committee on House
19 Oversight of the House of Representatives and any
20 reference to the Committee on Armed Services of the
21 Senate shall be deemed a reference to the Committee
22 on Rules and Administration of the Senate.

23 (2) Any reference to the date on which the
24 President transmits a report shall be deemed a ref-
25 erence to the date on which the recommendation in-
26 volved is submitted under section 605(b).

1 (3) Notwithstanding subsection (d)(2) of sec-
2 tion 2908 of such Act—

3 (A) debate on the legislation in the House
4 of Representatives, and on all debatable mo-
5 tions and appeals in connection with the legisla-
6 tion, shall be limited to not more than 10
7 hours, divided equally between those favoring
8 and those opposing the legislation;

9 (B) debate on the legislation in the Senate,
10 and on all debatable motions and appeals in
11 connection with the legislation, shall be limited
12 to not more than 10 hours, divided equally be-
13 tween those favoring and those opposing the
14 legislation; and

15 (C) debate in the Senate on any single de-
16 batable motion and appeal in connection with
17 the legislation shall be limited to not more than
18 1 hour, divided equally between the mover and
19 the manager of the bill (except that in the event
20 the manager of the bill is in favor of any such
21 motion or appeal, the time in opposition thereto
22 shall be controlled by the minority leader or his
23 designee), and the majority and minority leader
24 may each allot additional time from time under
25 such leader's control to any Senator during the

1 consideration of any debatable motion or ap-
 2 peal.

3 **SEC. 607. TERMINATION.**

4 The Commission shall cease to exist 90 days after
 5 the date of the submission of its report under section 605.

6 **SEC. 608. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to the Com-
 8 mission such sums as are necessary to carry out its duties
 9 under this title.

10 **TITLE VII—PROHIBITING USE OF**
 11 **WHITE HOUSE MEALS AND**
 12 **ACCOMMODATIONS FOR PO-**
 13 **LITICAL FUNDRAISING**

14 **SEC. 701. PROHIBITING USE OF WHITE HOUSE MEALS AND**
 15 **ACCOMMODATIONS FOR POLITICAL FUND-**
 16 **RAISING.**

17 (a) IN GENERAL.—Chapter 29 of title 18, United
 18 States Code, is amended by adding at the end the follow-
 19 ing new section:

20 **“§ 612. Prohibiting use of meals and accommodations**
 21 **at White House for political fundraising**

22 “(a) It shall be unlawful for any person to provide
 23 or offer to provide any meals or accommodations at the
 24 White House in exchange for any money or other thing
 25 of value, or as a reward for the provision of any money

1 or other thing of value, in support of any political party
 2 or the campaign for electoral office of any candidate.

3 “(b) Any person who violates this section shall be
 4 fined under this title or imprisoned not more than three
 5 years, or both.

6 “(c) For purposes of this section, any official resi-
 7 dence or retreat of the President (including private resi-
 8 dential areas and the grounds of such a residence or re-
 9 treat) shall be treated as part of the White House.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 for chapter 29 of title 18, United States Code, is amended
 12 by adding at the end the following new item:

“612. Prohibiting use of meals and accommodations at White House for political fundraising.”.

13 **TITLE VIII—SENSE OF THE CON-**
 14 **GRESS REGARDING FUND-**
 15 **RAISING ON FEDERAL GOV-**
 16 **ERNMENT PROPERTY**

17 **SEC. 801. SENSE OF THE CONGRESS REGARDING APPLICA-**
 18 **BILITY OF CONTROLLING LEGAL AUTHORITY**
 19 **TO FUNDRAISING ON FEDERAL GOVERN-**
 20 **MENT PROPERTY.**

21 It is the sense of the Congress that Federal law clear-
 22 ly demonstrates that “controlling legal authority” under
 23 title 18, United States Code, prohibits the use of Federal
 24 Government property to raise campaign funds.

1 **TITLE IX—PROHIBITING SOLICI-**
 2 **TATION TO OBTAIN ACCESS**
 3 **TO CERTAIN FEDERAL GOV-**
 4 **ERNMENT PROPERTY**

5 **SEC. 901. PROHIBITION AGAINST ACCEPTANCE OR SOLICI-**
 6 **TATION TO OBTAIN ACCESS TO CERTAIN FED-**
 7 **ERAL GOVERNMENT PROPERTY.**

8 (a) IN GENERAL.—Chapter 11 of title 18, United
 9 States Code, is amended by adding at the end the follow-
 10 ing new section:

11 **“§ 226. Acceptance or solicitation to obtain access to**
 12 **certain Federal Government property**

13 “Whoever solicits or receives anything of value in con-
 14 sideration of providing a person with access to Air Force
 15 One, Marine One, Air Force Two, Marine Two, the White
 16 House, or the Vice President’s residence, shall be fined
 17 under this title, or imprisoned not more than one year,
 18 or both.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
 20 for chapter 11 of title 18, United States Code, is amended
 21 by adding at the end the following new item:

“226. Acceptance or solicitation to obtain access to certain Federal Government
 property.”.

1 **TITLE X—REIMBURSEMENT FOR**
 2 **USE OF AIR FORCE ONE FOR**
 3 **POLITICAL FUNDRAISING**

4 **SEC. 1001. REQUIRING NATIONAL PARTIES TO REIMBURSE**
 5 **AT COST FOR USE OF AIR FORCE ONE FOR**
 6 **POLITICAL FUNDRAISING.**

7 Title III of the Federal Election Campaign Act of
 8 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
 9 401, 507, 510, and 515, is further amended by adding
 10 at the end the following new section:

11 “REIMBURSEMENT BY POLITICAL PARTIES FOR USE OF
 12 AIR FORCE ONE FOR POLITICAL FUNDRAISING

13 “SEC. 328. (a) IN GENERAL.—If the President, Vice
 14 President, or the head of any executive department (as
 15 defined in section 101 of title 5, United States Code) uses
 16 Air Force One for transportation for any travel which in-
 17 cludes a fundraising event for the benefit of any political
 18 committee of a national political party, such political com-
 19 mittee shall reimburse the Federal Government for the
 20 fair market value of the transportation of the individual
 21 involved, based on the cost of an equivalent commercial
 22 chartered flight.

23 “(b) AIR FORCE ONE DEFINED.—In subsection (a),
 24 the term ‘Air Force One’ means the airplane operated by

1 the Air Force which has been specially configured to carry
 2 out the mission of transporting the President.”.

3 **TITLE XI—PROHIBITING USE OF** 4 **WALKING AROUND MONEY**

5 **SEC. 1101. PROHIBITING CAMPAIGNS FROM PROVIDING**
 6 **CURRENCY TO INDIVIDUALS FOR PURPOSES**
 7 **OF ENCOURAGING TURNOUT ON DATE OF**
 8 **ELECTION.**

9 Title III of the Federal Election Campaign Act of
 10 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
 11 401, 507, 510, 515, and 1001, is further amended by add-
 12 ing at the end the following new section:

13 “PROHIBITING USE OF CURRENCY TO PROMOTE
 14 ELECTION DAY TURNOUT

15 “SEC. 329. It shall be unlawful for any political com-
 16 mittee to provide currency to any individual (directly or
 17 through an agent of the committee) for purposes of en-
 18 couraging the individual to appear at the polling place for
 19 the election.”.

20 **TITLE XII—ENHANCING EN-** 21 **FORCEMENT OF CAMPAIGN** 22 **LAW**

23 **SEC. 1201. ENHANCING ENFORCEMENT OF CAMPAIGN FI-**
 24 **NANCE LAW.**

25 (a) MANDATORY IMPRISONMENT FOR CRIMINAL
 26 CONDUCT.—Section 309(d)(1)(A) of the Federal Election

1 Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is
2 amended—

3 (1) in the first sentence, by striking “shall be
4 fined, or imprisoned for not more than one year, or
5 both” and inserting “shall be imprisoned for not
6 fewer than 1 year and not more than 10 years”; and

7 (2) by striking the second sentence.

8 (b) CONCURRENT AUTHORITY OF ATTORNEY GEN-
9 ERAL TO BRING CRIMINAL ACTIONS.—Section 309(d) of
10 such Act (2 U.S.C. 437g(d)) is amended by adding at the
11 end the following new paragraph:

12 “(4) In addition to the authority to bring cases re-
13 ferred pursuant to subsection (a)(5), the Attorney General
14 may at any time bring a criminal action for a violation
15 of this Act or of chapter 95 or chapter 96 of the Internal
16 Revenue Code of 1986.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to actions brought
19 with respect to elections occurring after January 1999.

1 **TITLE XIII—BAN ON COORDI-**
 2 **NATED SOFT MONEY ACTIVI-**
 3 **TIES BY PRESIDENTIAL CAN-**
 4 **DIDATES**

5 **SEC. 1301. BAN ON COORDINATION OF SOFT MONEY FOR**
 6 **ISSUE ADVOCACY BY PRESIDENTIAL CAN-**
 7 **DIDATES RECEIVING PUBLIC FINANCING.**

8 (a) IN GENERAL.—Section 9003 of the Internal Rev-
 9 enue Code of 1986 (26 U.S.C. 9003) is amended by add-
 10 ing at the end the following new subsection:

11 “(f) BAN ON COORDINATION OF SOFT MONEY FOR
 12 ISSUE ADVOCACY.—

13 “(1) IN GENERAL.—No candidate for election
 14 to the office of President or Vice President who is
 15 certified to receive amounts from the Presidential
 16 Election Campaign Fund under this chapter or
 17 chapter 96 may coordinate the expenditure of any
 18 funds for issue advocacy with any political party un-
 19 less the funds are subject to the limitations, prohibi-
 20 tions, and reporting requirements of the Federal
 21 Election Campaign Act of 1971.

22 “(2) ISSUE ADVOCACY DEFINED.—In this sec-
 23 tion, the term ‘issue advocacy’ means any activity
 24 carried out for the purpose of influencing the consid-
 25 eration or outcome of any Federal legislation or the

1 issuance or outcome of any Federal regulations, or
 2 educating individuals about candidates for election
 3 for Federal office or any Federal legislation, law, or
 4 regulations (without regard to whether the activity is
 5 carried out for the purpose of influencing any elec-
 6 tion for Federal office).”.

7 (b) EFFECTIVE DATE.—The amendment made by
 8 this section shall apply with respect to elections occurring
 9 on or after the date of the enactment of this Act.

10 **TITLE XIV—POSTING NAMES OF**
 11 **CERTAIN AIR FORCE ONE**
 12 **PASSENGERS ON INTERNET**

13 **SEC. 1401. REQUIREMENT THAT NAMES OF PASSENGERS**
 14 **ON AIR FORCE ONE AND AIR FORCE TWO BE**
 15 **MADE AVAILABLE THROUGH THE INTERNET.**

16 (a) IN GENERAL.—The President shall make avail-
 17 able through the Internet the name of any non-Govern-
 18 ment person who is a passenger on an aircraft designated
 19 as Air Force One or Air Force Two not later than 30 days
 20 after the date that the person is a passenger on such air-
 21 craft.

22 (b) EXCEPTION.—Subsection (a) shall not apply in
 23 a case in which the President determines that compliance
 24 with such subsection would be contrary to the national se-
 25 curity interests of the United States. In any such case,

1 not later than 30 days after the date that the person
 2 whose name will not be made available through the Inter-
 3 net was a passenger on the aircraft, the President shall
 4 submit to the chairman and ranking member of the Per-
 5 manent Select Committee on Intelligence of the House of
 6 Representatives and of the Select Committee on Intel-
 7 ligence of the Senate—

8 (1) the name of the person; and

9 (2) the justification for not making such name
 10 available through the Internet.

11 (c) DEFINITION OF PERSON.—As used in this Act,
 12 the term “non-Government person” means a person who
 13 is not an officer or employee of the United States, a mem-
 14 ber of the Armed Forces, or a Member of Congress.

15 **TITLE XV—EXPULSION PRO-**
 16 **CEEDINGS FOR HOUSE MEM-**
 17 **BERS RECEIVING FOREIGN**
 18 **CONTRIBUTIONS**

19 **SEC. 1501. PERMITTING CONSIDERATION OF PRIVILEGED**
 20 **MOTION TO EXPEL HOUSE MEMBER ACCEPT-**
 21 **ING ILLEGAL FOREIGN CONTRIBUTION.**

22 (a) IN GENERAL.—If a Member of the House of Rep-
 23 resentatives is convicted of a violation of section 319 of
 24 the Federal Election Campaign Act of 1971 (or any suc-
 25 cessor provision prohibiting the solicitation, receipt, or ac-

1 ceptance of a contribution from a foreign national), the
2 Committee on Standards of Official Conduct, shall imme-
3 diately consider the conduct of the Member and shall make
4 a report and recommendations to the House forthwith
5 concerning that Member which may include a rec-
6 ommendation for expulsion.

7 (b) EXERCISE OF RULEMAKING AUTHORITY.—This
8 section is enacted by Congress—

9 (1) as an exercise of the rulemaking power of
10 the House of Representatives, and as such it is
11 deemed a part of the rules of the House of Rep-
12 resentatives, and it supersedes other rules only to
13 the extent that it is inconsistent therewith; and

14 (2) with full recognition of the constitutional
15 right of the House of Representatives to change the
16 rule at any time, in the same manner and to the
17 same extent as in the case of any other rule of the
18 House of Representatives.

19 **TITLE XVI—SEVERABILITY; CON-**
20 **STITUTIONALITY; EFFECTIVE**
21 **DATE; REGULATIONS**

22 **SEC. 1601. SEVERABILITY.**

23 If any provision of this Act or amendment made by
24 this Act, or the application of a provision or amendment
25 to any person or circumstance, is held to be unconstitu-

1 tional, the remainder of this Act and amendments made
2 by this Act, and the application of the provisions and
3 amendment to any person or circumstance, shall not be
4 affected by the holding.

5 **SEC. 1602. REVIEW OF CONSTITUTIONAL ISSUES.**

6 An appeal may be taken directly to the Supreme
7 Court of the United States from any final judgment, de-
8 cree, or order issued by any court ruling on the constitu-
9 tionality of any provision of this Act or amendment made
10 by this Act.

11 **SEC. 1603. EFFECTIVE DATE.**

12 Except as otherwise provided in this Act, this Act and
13 the amendments made by this Act shall take effect upon
14 the expiration of the 90-day period which begins on the
15 date of the enactment of this Act.

16 **SEC. 1604. REGULATIONS.**

17 The Federal Election Commission shall prescribe any
18 regulations required to carry out this Act and the amend-
19 ments made by this Act not later than 45 days after the
20 date of the enactment of this Act.

