

113TH CONGRESS
2D SESSION

S. 2023

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2014

Mr. DURBIN (for himself, Mrs. BOXER, Mr. BROWN, Mr. CARDIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MENENDEZ, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. SANDERS, Mrs. SHAHEEN, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

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

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Fair Elections Now Act”.

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—FAIR ELECTIONS FINANCING OF SENATE ELECTION
CAMPAIGNS

Subtitle A—Fair Elections Financing Program

- Sec. 101. Findings and declarations.
 Sec. 102. Eligibility requirements and benefits of Fair Elections financing of Senate election campaigns.
 Sec. 103. Prohibition on joint fundraising committees.
 Sec. 104. Exception to limitation on coordinated expenditures by political party committees with participating candidates.

TITLE II—IMPROVING VOTER INFORMATION

- Sec. 201. Broadcasts relating to all Senate candidates.
 Sec. 202. Broadcast rates for participating candidates.
 Sec. 203. FCC to prescribe standardized form for reporting candidate campaign ads.

TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION

- Sec. 301. Petition for certiorari.
 Sec. 302. Filing by Senate candidates with Commission.
 Sec. 303. Electronic filing of FEC reports.

TITLE IV—PARTICIPATION IN FUNDING OF ELECTIONS

- Sec. 401. Refundable tax credit for Senate campaign contributions.

TITLE V—REVENUE PROVISIONS

- Sec. 501. Fair Elections Fund revenue.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Severability.
 Sec. 602. Effective date.

1 **TITLE I—FAIR ELECTIONS FI-**
 2 **NANCING OF SENATE ELEC-**
 3 **TION CAMPAIGNS**

4 **Subtitle A—Fair Elections**
 5 **Financing Program**

6 **SEC. 101. FINDINGS AND DECLARATIONS.**

7 (a) UNDERMINING OF DEMOCRACY BY CAMPAIGN
 8 CONTRIBUTIONS FROM PRIVATE SOURCES.—The Senate
 9 finds and declares that the current system of privately fi-
 10 nanced campaigns for election to the United States Senate

1 has the capacity, and is often perceived by the public, to
2 undermine democracy in the United States by—

3 (1) creating a culture that fosters actual or per-
4 ceived conflicts of interest by encouraging Senators
5 to accept large campaign contributions from private
6 interests that are directly affected by Federal legis-
7 lation;

8 (2) diminishing or appearing to diminish Sen-
9 ators' accountability to constituents by compelling
10 legislators to be accountable to the major contribu-
11 tors who finance their election campaigns;

12 (3) undermining the meaning of the right to
13 vote by allowing monied interests to have a dis-
14 proportionate and unfair influence within the polit-
15 ical process;

16 (4) imposing large, unwarranted costs on tax-
17 payers through legislative and regulatory distortions
18 caused by unequal access to lawmakers for campaign
19 contributors;

20 (5) making it difficult for some qualified can-
21 didates to mount competitive Senate election cam-
22 paigns;

23 (6) disadvantaging challengers and discouraging
24 competitive elections; and

1 (7) burdening incumbents with a preoccupation
2 with fundraising and thus decreasing the time avail-
3 able to carry out their public responsibilities.

4 (b) ENHANCEMENT OF DEMOCRACY BY PROVIDING
5 ALLOCATIONS FROM THE FAIR ELECTIONS FUND.—The
6 Senate finds and declares that providing the option of the
7 replacement of large private campaign contributions with
8 allocations from the Fair Elections Fund for all primary,
9 runoff, and general elections to the Senate would enhance
10 American democracy by—

11 (1) reducing the actual or perceived conflicts of
12 interest created by fully private financing of the elec-
13 tion campaigns of public officials and restoring pub-
14 lic confidence in the integrity and fairness of the
15 electoral and legislative processes through a program
16 which allows participating candidates to adhere to
17 substantially lower contribution limits for contribu-
18 tors with an assurance that there will be sufficient
19 funds for such candidates to run viable electoral
20 campaigns;

21 (2) increasing the public’s confidence in the ac-
22 countability of Senators to the constituents who elect
23 them, which derives from the program’s qualifying
24 criteria to participate in the voluntary program and
25 the conclusions that constituents may draw regard-

1 ing candidates who qualify and participate in the
2 program;

3 (3) helping to reduce the ability to make large
4 campaign contributions as a determinant of a citi-
5 zen's influence within the political process by facili-
6 tating the expression of support by voters at every
7 level of wealth, encouraging political participation,
8 and incentivizing participation on the part of Sen-
9 ators through the matching of small dollar contribu-
10 tions;

11 (4) potentially saving taxpayers billions of dol-
12 lars that may be (or that are perceived to be) cur-
13 rently allocated based upon legislative and regu-
14 latory agendas skewed by the influence of campaign
15 contributions;

16 (5) creating genuine opportunities for all Amer-
17 icans to run for the Senate and encouraging more
18 competitive elections;

19 (6) encouraging participation in the electoral
20 process by citizens of every level of wealth; and

21 (7) freeing Senators from the incessant pre-
22 occupation with raising money, and allowing them
23 more time to carry out their public responsibilities.

1 **SEC. 102. ELIGIBILITY REQUIREMENTS AND BENEFITS OF**
 2 **FAIR ELECTIONS FINANCING OF SENATE**
 3 **ELECTION CAMPAIGNS.**

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

7 **“TITLE V—FAIR ELECTIONS FI-**
 8 **NANCING OF SENATE ELEC-**
 9 **TION CAMPAIGNS**

10 **“Subtitle A—General Provisions**

11 **“SEC. 501. DEFINITIONS.**

12 “In this title:

13 “(1) **ALLOCATION FROM THE FUND.**—The term
 14 ‘allocation from the Fund’ means an allocation of
 15 money from the Fair Elections Fund to a partici-
 16 pating candidate pursuant to section 522.

17 “(2) **BOARD.**—The term ‘Board’ means the
 18 Fair Elections Oversight Board established under
 19 section 531.

20 “(3) **FAIR ELECTIONS QUALIFYING PERIOD.**—
 21 The term ‘Fair Elections qualifying period’ means,
 22 with respect to any candidate for Senator, the pe-
 23 riod—

24 “(A) beginning on the date on which the
 25 candidate files a statement of intent under sec-
 26 tion 511(a)(1); and

1 “(B) ending on the date that is 30 days
2 before—

3 “(i) the date of the primary election;
4 or

5 “(ii) in the case of a State that does
6 not hold a primary election, the date pre-
7 scribed by State law as the last day to
8 qualify for a position on the general elec-
9 tion ballot.

10 “(4) FAIR ELECTIONS START DATE.—The term
11 ‘Fair Elections start date’ means, with respect to
12 any candidate, the date that is 180 days before—

13 “(A) the date of the primary election; or

14 “(B) in the case of a State that does not
15 hold a primary election, the date prescribed by
16 State law as the last day to qualify for a posi-
17 tion on the general election ballot.

18 “(5) FUND.—The term ‘Fund’ means the Fair
19 Elections Fund established by section 502.

20 “(6) IMMEDIATE FAMILY.—The term ‘imme-
21 diate family’ means, with respect to any candidate—

22 “(A) the candidate’s spouse;

23 “(B) a child, stepchild, parent, grand-
24 parent, brother, half-brother, sister, or half-sis-

1 ter of the candidate or the candidate’s spouse;
2 and

3 “(C) the spouse of any person described in
4 subparagraph (B).

5 “(7) MATCHING CONTRIBUTION.—The term
6 ‘matching contribution’ means a matching payment
7 provided to a participating candidate for qualified
8 small dollar contributions, as provided under section
9 523.

10 “(8) NONPARTICIPATING CANDIDATE.—The
11 term ‘nonparticipating candidate’ means a candidate
12 for Senator who is not a participating candidate.

13 “(9) PARTICIPATING CANDIDATE.—The term
14 ‘participating candidate’ means a candidate for Sen-
15 ator who is certified under section 515 as being eli-
16 gible to receive an allocation from the Fund.

17 “(10) QUALIFYING CONTRIBUTION.—The term
18 ‘qualifying contribution’ means, with respect to a
19 candidate, a contribution that—

20 “(A) is in an amount that is—

21 “(i) not less than the greater of \$5 or
22 the amount determined by the Commission
23 under section 531; and

1 “(ii) not more than the greater of
 2 \$150 or the amount determined by the
 3 Commission under section 531;

4 “(B) is made by an individual—

5 “(i) who is a resident of the State in
 6 which such candidate is seeking election;
 7 and

8 “(ii) who is not otherwise prohibited
 9 from making a contribution under this Act;

10 “(C) is made during the Fair Elections
 11 qualifying period; and

12 “(D) meets the requirements of section
 13 512(b).

14 “(11) QUALIFIED SMALL DOLLAR CONTRIBU-
 15 TION.—The term ‘qualified small dollar contribution’
 16 means, with respect to a candidate, any contribution
 17 (or series of contributions)—

18 “(A) which is not a qualifying contribution
 19 (or does not include a qualifying contribution);

20 “(B) which is made by an individual who
 21 is not prohibited from making a contribution
 22 under this Act; and

23 “(C) the aggregate amount of which does
 24 not exceed the greater of—

25 “(i) \$150 per election; or

1 “(ii) the amount per election deter-
2 mined by the Commission under section
3 531.

4 **“SEC. 502. FAIR ELECTIONS FUND.**

5 “(a) ESTABLISHMENT.—There is established in the
6 Treasury a fund to be known as the ‘Fair Elections Fund’.

7 “(b) AMOUNTS HELD BY FUND.—The Fund shall
8 consist of the following amounts:

9 “(1) APPROPRIATED AMOUNTS.—

10 “(A) IN GENERAL.—Amounts appropriated
11 to the Fund.

12 “(B) SENSE OF THE SENATE REGARDING
13 APPROPRIATIONS.—It is the sense of the Senate
14 that—

15 “(i) there should be imposed on any
16 payment made to any person (other than a
17 State or local government or a foreign na-
18 tion) who has contracts with the Govern-
19 ment of the United States in excess of
20 \$10,000,000 a tax equal to 0.50 percent of
21 amount paid pursuant to such contracts,
22 except that the aggregate tax for any per-
23 son for any taxable year shall not exceed
24 \$500,000; and

1 “(ii) the revenue from such tax should
2 be appropriated to the Fund.

3 “(2) VOLUNTARY CONTRIBUTIONS.—Voluntary
4 contributions to the Fund.

5 “(3) OTHER DEPOSITS.—Amounts deposited
6 into the Fund under—

7 “(A) section 513(c) (relating to exceptions
8 to contribution requirements);

9 “(B) section 521(c) (relating to remittance
10 of allocations from the Fund);

11 “(C) section 533 (relating to violations);
12 and

13 “(D) any other section of this Act.

14 “(4) INVESTMENT RETURNS.—Interest on, and
15 the proceeds from, the sale or redemption of, any
16 obligations held by the Fund under subsection (c).

17 “(c) INVESTMENT.—The Commission shall invest
18 portions of the Fund in obligations of the United States
19 in the same manner as provided under section 9602(b)
20 of the Internal Revenue Code of 1986.

21 “(d) USE OF FUND.—

22 “(1) IN GENERAL.—The sums in the Fund
23 shall be used to provide benefits to participating
24 candidates as provided in subtitle C.

1 “(2) INSUFFICIENT AMOUNTS.—Under regula-
2 tions established by the Commission, rules similar to
3 the rules of section 9006(c) of the Internal Revenue
4 Code shall apply.

5 **“Subtitle B—Eligibility and**
6 **Certification**

7 **“SEC. 511. ELIGIBILITY.**

8 “(a) IN GENERAL.—A candidate for Senator is eligi-
9 ble to receive an allocation from the Fund for any election
10 if the candidate meets the following requirements:

11 “(1) The candidate files with the Commission a
12 statement of intent to seek certification as a partici-
13 pating candidate under this title during the period
14 beginning on the Fair Elections start date and end-
15 ing on the last day of the Fair Elections qualifying
16 period.

17 “(2) The candidate meets the qualifying con-
18 tribution requirements of section 512.

19 “(3) Not later than the last day of the Fair
20 Elections qualifying period, the candidate files with
21 the Commission an affidavit signed by the candidate
22 and the treasurer of the candidate’s principal cam-
23 paign committee declaring that the candidate—

1 “(A) has complied and, if certified, will
 2 comply with the contribution and expenditure
 3 requirements of section 513;

4 “(B) if certified, will comply with the de-
 5 bate requirements of section 514;

6 “(C) if certified, will not run as a non-
 7 participating candidate during such year in any
 8 election for the office that such candidate is
 9 seeking; and

10 “(D) has either qualified or will take steps
 11 to qualify under State law to be on the ballot.

12 “(b) GENERAL ELECTION.—Notwithstanding sub-
 13 section (a), a candidate shall not be eligible to receive an
 14 allocation from the Fund for a general election or a gen-
 15 eral runoff election unless the candidate’s party nominated
 16 the candidate to be placed on the ballot for the general
 17 election or the candidate otherwise qualified to be on the
 18 ballot under State law.

19 **“SEC. 512. QUALIFYING CONTRIBUTION REQUIREMENT.**

20 “(a) IN GENERAL.—A candidate for Senator meets
 21 the requirement of this section if, during the Fair Elec-
 22 tions qualifying period, the candidate obtains—

23 “(1) a number of qualifying contributions equal
 24 to the greater of—

25 “(A) the sum of—

1 “(i) 2,000; plus

2 “(ii) 500 for each congressional dis-
3 trict in the State with respect to which the
4 candidate is seeking election; or

5 “(B) the amount determined by the Com-
6 mission under section 531; and

7 “(2) a total dollar amount of qualifying con-
8 tributions equal to the greater of—

9 “(A) 10 percent of the amount of the allo-
10 cation such candidate would be entitled to re-
11 ceive for the primary election under section
12 522(c)(1) (determined without regard to para-
13 graph (5) thereof) if such candidate were a par-
14 ticipating candidate; or

15 “(B) the amount determined by the Com-
16 mission under section 531.

17 “(b) REQUIREMENTS RELATING TO RECEIPT OF
18 QUALIFYING CONTRIBUTION.—Each qualifying contribu-
19 tion—

20 “(1) may be made by means of a personal
21 check, money order, debit card, credit card, or elec-
22 tronic payment account;

23 “(2) shall be accompanied by a signed state-
24 ment containing—

1 “(A) the contributor’s name and the con-
 2 tributor’s address in the State in which the con-
 3 tributor is registered to vote; and

4 “(B) an oath declaring that the contrib-
 5 utor—

6 “(i) understands that the purpose of
 7 the qualifying contribution is to show sup-
 8 port for the candidate so that the can-
 9 didate may qualify for Fair Elections fi-
 10 nancing;

11 “(ii) is making the contribution in his
 12 or her own name and from his or her own
 13 funds;

14 “(iii) has made the contribution will-
 15 ingly; and

16 “(iv) has not received anything of
 17 value in return for the contribution; and

18 “(3) shall be acknowledged by a receipt that is
 19 sent to the contributor with a copy kept by the can-
 20 didate for the Commission and a copy kept by the
 21 candidate for the election authorities in the State
 22 with respect to which the candidate is seeking elec-
 23 tion.

24 “(c) VERIFICATION OF QUALIFYING CONTRIBU-
 25 TIONS.—The Commission shall establish procedures for

1 the auditing and verification of qualifying contributions to
 2 ensure that such contributions meet the requirements of
 3 this section.

4 **“SEC. 513. CONTRIBUTION AND EXPENDITURE REQUIRE-**
 5 **MENTS.**

6 “(a) GENERAL RULE.—A candidate for Senator
 7 meets the requirements of this section if, during the elec-
 8 tion cycle of the candidate, the candidate—

9 “(1) except as provided in subsection (b), ac-
 10 cepts no contributions other than—

11 “(A) qualifying contributions;

12 “(B) qualified small dollar contributions;

13 “(C) allocations from the Fund under sec-
 14 tion 522;

15 “(D) matching contributions under section
 16 523; and

17 “(E) vouchers provided to the candidate
 18 under section 524;

19 “(2) makes no expenditures from any amounts
 20 other than from—

21 “(A) qualifying contributions;

22 “(B) qualified small dollar contributions;

23 “(C) allocations from the Fund under sec-
 24 tion 522;

1 “(D) matching contributions under section
2 523; and

3 “(E) vouchers provided to the candidate
4 under section 524; and

5 “(3) makes no expenditures from personal
6 funds or the funds of any immediate family member
7 (other than funds received through qualified small
8 dollar contributions and qualifying contributions).

9 For purposes of this subsection, a payment made by a po-
10 litical party in coordination with a participating candidate
11 shall not be treated as a contribution to or as an expendi-
12 ture made by the participating candidate.

13 “(b) CONTRIBUTIONS FOR LEADERSHIP PACs,
14 ETC.—A political committee of a participating candidate
15 which is not an authorized committee of such candidate
16 may accept contributions other than contributions de-
17 scribed in subsection (a)(1) from any person if—

18 “(1) the aggregate contributions from such per-
19 son for any calendar year do not exceed \$150; and

20 “(2) no portion of such contributions is dis-
21 bursed in connection with the campaign of the par-
22 ticipating candidate.

23 “(c) EXCEPTION.—Notwithstanding subsection (a), a
24 candidate shall not be treated as having failed to meet
25 the requirements of this section if any contributions that

1 are not qualified small dollar contributions, qualifying con-
 2 tributions, or contributions that meet the requirements of
 3 subsection (b) and that are accepted before the date the
 4 candidate files a statement of intent under section
 5 511(a)(1) are—

6 “(1) returned to the contributor; or

7 “(2) submitted to the Commission for deposit in
 8 the Fund.

9 **“SEC. 514. DEBATE REQUIREMENT.**

10 “A candidate for Senator meets the requirements of
 11 this section if the candidate participates in at least—

12 “(1) 1 public debate before the primary election
 13 with other participating candidates and other willing
 14 candidates from the same party and seeking the
 15 same nomination as such candidate; and

16 “(2) 2 public debates before the general election
 17 with other participating candidates and other willing
 18 candidates seeking the same office as such can-
 19 didate.

20 **“SEC. 515. CERTIFICATION.**

21 “(a) IN GENERAL.—Not later than 5 days after a
 22 candidate for Senator files an affidavit under section
 23 511(a)(3), the Commission shall—

24 “(1) certify whether or not the candidate is a
 25 participating candidate; and

1 “(2) notify the candidate of the Commission’s
2 determination.

3 “(b) REVOCATION OF CERTIFICATION.—

4 “(1) IN GENERAL.—The Commission may re-
5 voke a certification under subsection (a) if—

6 “(A) a candidate fails to qualify to appear
7 on the ballot at any time after the date of cer-
8 tification; or

9 “(B) a candidate otherwise fails to comply
10 with the requirements of this title, including
11 any regulatory requirements prescribed by the
12 Commission.

13 “(2) REPAYMENT OF BENEFITS.—If certifi-
14 cation is revoked under paragraph (1), the candidate
15 shall repay to the Fund an amount equal to the
16 value of benefits received under this title plus inter-
17 est (at a rate determined by the Commission) on any
18 such amount received.

19 “Subtitle C—Benefits

20 “SEC. 521. BENEFITS FOR PARTICIPATING CANDIDATES.

21 “(a) IN GENERAL.—For each election with respect
22 to which a candidate is certified as a participating can-
23 didate, such candidate shall be entitled to—

1 “(1) an allocation from the Fund to make or
 2 obligate to make expenditures with respect to such
 3 election, as provided in section 522;

4 “(2) matching contributions, as provided in sec-
 5 tion 523; and

6 “(3) for the general election, vouchers for
 7 broadcasts of political advertisements, as provided in
 8 section 524.

9 “(b) RESTRICTION ON USES OF ALLOCATIONS FROM
 10 THE FUND.—Allocations from the Fund received by a par-
 11 ticipating candidate under section 522 and matching con-
 12 tributions under section 523 may only be used for cam-
 13 paign-related costs.

14 “(c) REMITTING ALLOCATIONS FROM THE FUND.—

15 “(1) IN GENERAL.—Not later than the date
 16 that is 45 days after an election in which the partici-
 17 pating candidate appeared on the ballot, such par-
 18 ticipating candidate shall remit to the Commission
 19 for deposit in the Fund an amount equal to the less-
 20 er of—

21 “(A) the amount of money in the can-
 22 didate’s campaign account; or

23 “(B) the sum of the allocations from the
 24 Fund received by the candidate under section

1 522 and the matching contributions received by
2 the candidate under section 523.

3 “(2) EXCEPTION.—In the case of a candidate
4 who qualifies to be on the ballot for a primary run-
5 off election, a general election, or a general runoff
6 election, the amounts described in paragraph (1)
7 may be retained by the candidate and used in such
8 subsequent election.

9 **“SEC. 522. ALLOCATIONS FROM THE FUND.**

10 “(a) IN GENERAL.—The Commission shall make allo-
11 cations from the Fund under section 521(a)(1) to a par-
12 ticipating candidate—

13 “(1) in the case of amounts provided under
14 subsection (c)(1), not later than 48 hours after the
15 date on which such candidate is certified as a par-
16 ticipating candidate under section 515;

17 “(2) in the case of a general election, not later
18 than 48 hours after—

19 “(A) the date of the certification of the re-
20 sults of the primary election or the primary
21 runoff election; or

22 “(B) in any case in which there is no pri-
23 mary election, the date the candidate qualifies
24 to be placed on the ballot; and

1 “(3) in the case of a primary runoff election or
2 a general runoff election, not later than 48 hours
3 after the certification of the results of the primary
4 election or the general election, as the case may be.

5 “(b) METHOD OF PAYMENT.—The Commission shall
6 distribute funds available to participating candidates
7 under this section through the use of an electronic funds
8 exchange or a debit card.

9 “(c) AMOUNTS.—

10 “(1) PRIMARY ELECTION ALLOCATION; INITIAL
11 ALLOCATION.—Except as provided in paragraph (5),
12 the Commission shall make an allocation from the
13 Fund for a primary election to a participating can-
14 didate in an amount equal to 67 percent of the base
15 amount with respect to such participating candidate.

16 “(2) PRIMARY RUNOFF ELECTION ALLOCA-
17 TION.—The Commission shall make an allocation
18 from the Fund for a primary runoff election to a
19 participating candidate in an amount equal to 25
20 percent of the amount the participating candidate
21 was eligible to receive under this section for the pri-
22 mary election.

23 “(3) GENERAL ELECTION ALLOCATION.—Ex-
24 cept as provided in paragraph (5), the Commission
25 shall make an allocation from the Fund for a gen-

1 eral election to a participating candidate in an
 2 amount equal to the base amount with respect to
 3 such candidate.

4 “(4) GENERAL RUNOFF ELECTION ALLOCA-
 5 TION.—The Commission shall make an allocation
 6 from the Fund for a general runoff election to a par-
 7 ticipating candidate in an amount equal to 25 per-
 8 cent of the base amount with respect to such can-
 9 didate.

10 “(5) UNCONTESTED ELECTIONS.—

11 “(A) IN GENERAL.—In the case of a pri-
 12 mary or general election that is an uncontested
 13 election, the Commission shall make an alloca-
 14 tion from the Fund to a participating candidate
 15 for such election in an amount equal to 25 per-
 16 cent of the allocation which such candidate
 17 would be entitled to under this section for such
 18 election if this paragraph did not apply.

19 “(B) UNCONTESTED ELECTION DE-
 20 FINED.—For purposes of this subparagraph, an
 21 election is uncontested if not more than 1 can-
 22 didate has campaign funds (including payments
 23 from the Fund) in an amount equal to or great-
 24 er than 10 percent of the allocation a partici-
 25 pating candidate would be entitled to receive

1 under this section for such election if this para-
 2 graph did not apply.

3 “(d) BASE AMOUNT.—

4 “(1) IN GENERAL.—Except as otherwise pro-
 5 vided in this subsection, the base amount for any
 6 candidate is an amount equal to the greater of—

7 “(A) the sum of—

8 “(i) \$750,000; plus

9 “(ii) \$150,000 for each congressional
 10 district in the State with respect to which
 11 the candidate is seeking election; or

12 “(B) the amount determined by the Com-
 13 mission under section 531.

14 “(2) INDEXING.—In each even-numbered year
 15 after 2015—

16 “(A) each dollar amount under paragraph
 17 (1)(A) shall be increased by the percent dif-
 18 ference between the price index (as defined in
 19 section 315(c)(2)(A)) for the 12 months pre-
 20 ceding the beginning of such calendar year and
 21 the price index for calendar year 2014;

22 “(B) each dollar amount so increased shall
 23 remain in effect for the 2-year period beginning
 24 on the first day following the date of the last
 25 general election in the year preceding the year

1 in which the amount is increased and ending on
 2 the date of the next general election; and

3 “(C) if any amount after adjustment under
 4 subparagraph (A) is not a multiple of \$100,
 5 such amount shall be rounded to the nearest
 6 multiple of \$100.

7 **“SEC. 523. MATCHING PAYMENTS FOR QUALIFIED SMALL**
 8 **DOLLAR CONTRIBUTIONS.**

9 “(a) IN GENERAL.—The Commission shall pay to
 10 each participating candidate an amount equal to 600 per-
 11 cent of the amount of qualified small dollar contributions
 12 received by the candidate from individuals who are resi-
 13 dents of the State in which such participating candidate
 14 is seeking election after the date on which such candidate
 15 is certified under section 515.

16 “(b) LIMITATION.—The aggregate payments under
 17 subsection (a) with respect to any candidate shall not ex-
 18 ceed the greater of—

19 “(1) 400 percent of the allocation such can-
 20 didate is entitled to receive for such election under
 21 section 522 (determined without regard to sub-
 22 section (c)(5) thereof); or

23 “(2) the percentage of such allocation deter-
 24 mined by the Commission under section 531.

1 “(c) TIME OF PAYMENT.—The Commission shall
 2 make payments under this section not later than 2 busi-
 3 ness days after the receipt of a report made under sub-
 4 section (d).

5 “(d) REPORTS.—

6 “(1) IN GENERAL.—Each participating can-
 7 didate shall file reports of receipts of qualified small
 8 dollar contributions at such times and in such man-
 9 ner as the Commission may by regulations prescribe.

10 “(2) CONTENTS OF REPORTS.—Each report
 11 under this subsection shall disclose—

12 “(A) the amount of each qualified small
 13 dollar contribution received by the candidate;

14 “(B) the amount of each qualified small
 15 dollar contribution received by the candidate
 16 from a resident of the State in which the can-
 17 didate is seeking election; and

18 “(C) the name, address, and occupation of
 19 each individual who made a qualified small dol-
 20 lar contribution to the candidate.

21 “(3) FREQUENCY OF REPORTS.—Reports under
 22 this subsection shall be made no more frequently
 23 than—

24 “(A) once every month until the date that
 25 is 90 days before the date of the election;

1 “(B) once every week after the period de-
 2 scribed in subparagraph (A) and until the date
 3 that is 21 days before the election; and

4 “(C) once every day after the period de-
 5 scribed in subparagraph (B).

6 “(4) LIMITATION ON REGULATIONS.—The
 7 Commission may not prescribe any regulations with
 8 respect to reporting under this subsection with re-
 9 spect to any election after the date that is 180 days
 10 before the date of such election.

11 “(e) APPEALS.—The Commission shall provide a
 12 written explanation with respect to any denial of any pay-
 13 ment under this section and shall provide the opportunity
 14 for review and reconsideration within 5 business days of
 15 such denial.

16 **“SEC. 524. POLITICAL ADVERTISING VOUCHERS.**

17 “(a) IN GENERAL.—The Commission shall establish
 18 and administer a voucher program for the purchase of
 19 airtime on broadcasting stations for political advertise-
 20 ments in accordance with the provisions of this section.

21 “(b) CANDIDATES.—The Commission shall only dis-
 22 burse vouchers under the program established under sub-
 23 section (a) to participants certified pursuant to section
 24 515 who have agreed in writing to keep and furnish to

1 the Commission such records, books, and other informa-
 2 tion as it may require.

3 “(c) AMOUNTS.—The Commission shall disburse
 4 vouchers to each candidate certified under subsection (b)
 5 in an aggregate amount equal to the greater of—

6 “(1) \$100,000 multiplied by the number of con-
 7 gressional districts in the State with respect to
 8 which such candidate is running for office; or

9 “(2) the amount determined by the Commission
 10 under section 531.

11 “(d) USE.—

12 “(1) EXCLUSIVE USE.—Vouchers disbursed by
 13 the Commission under this section may be used only
 14 for the purchase of broadcast airtime for political
 15 advertisements relating to a general election for the
 16 office of Senate by the participating candidate to
 17 which the vouchers were disbursed, except that—

18 “(A) a candidate may exchange vouchers
 19 with a political party under paragraph (2); and

20 “(B) a political party may use vouchers
 21 only to purchase broadcast airtime for political
 22 advertisements for generic party advertising (as
 23 defined by the Commission in regulations), to
 24 support candidates for State or local office in a
 25 general election, or to support participating

1 candidates of the party in a general election for
2 Federal office, but only if it discloses the value
3 of the voucher used as an expenditure under
4 section 315(d).

5 “(2) EXCHANGE WITH POLITICAL PARTY COM-
6 MITTEE.—

7 “(A) IN GENERAL.—A participating can-
8 didate who receives a voucher under this section
9 may transfer the right to use all or a portion
10 of the value of the voucher to a committee of
11 the political party of which the individual is a
12 candidate (or, in the case of a participating
13 candidate who is not a member of any political
14 party, to a committee of the political party of
15 that candidate’s choice) in exchange for money
16 in an amount equal to the cash value of the
17 voucher or portion exchanged.

18 “(B) CONTINUATION OF CANDIDATE OBLI-
19 GATIONS.—The transfer of a voucher, in whole
20 or in part, to a political party committee under
21 this paragraph does not release the candidate
22 from any obligation under the agreement made
23 under subsection (b) or otherwise modify that
24 agreement or its application to that candidate.

1 “(C) PARTY COMMITTEE OBLIGATIONS.—

2 Any political party committee to which a vouch-
3 er or portion thereof is transferred under sub-
4 paragraph (A)—

5 “(i) shall account fully, in accordance
6 with such requirements as the Commission
7 may establish, for the receipt of the vouch-
8 er; and

9 “(ii) may not use the transferred
10 voucher or portion thereof for any purpose
11 other than a purpose described in para-
12 graph (1)(B).

13 “(D) VOUCHER AS A CONTRIBUTION
14 UNDER FECA.—If a candidate transfers a
15 voucher or any portion thereof to a political
16 party committee under subparagraph (A)—

17 “(i) the value of the voucher or por-
18 tion thereof transferred shall be treated as
19 a contribution from the candidate to the
20 committee, and from the committee to the
21 candidate, for purposes of sections 302
22 and 304;

23 “(ii) the committee may, in exchange,
24 provide to the candidate only funds subject
25 to the prohibitions, limitations, and report-

1 ing requirements of title III of this Act;
2 and

3 “(iii) the amount, if identified as a
4 ‘voucher exchange’, shall not be considered
5 a contribution for the purposes of sections
6 315 and 513.

7 “(e) VALUE; ACCEPTANCE; REDEMPTION.—

8 “(1) VOUCHER.—Each voucher disbursed by
9 the Commission under this section shall have a value
10 in dollars, redeemable upon presentation to the
11 Commission, together with such documentation and
12 other information as the Commission may require,
13 for the purchase of broadcast airtime for political
14 advertisements in accordance with this section.

15 “(2) ACCEPTANCE.—A broadcasting station
16 shall accept vouchers in payment for the purchase of
17 broadcast airtime for political advertisements in ac-
18 cordance with this section.

19 “(3) REDEMPTION.—The Commission shall re-
20 deem vouchers accepted by broadcasting stations
21 under paragraph (2) upon presentation, subject to
22 such documentation, verification, accounting, and
23 application requirements as the Commission may im-
24 pose to ensure the accuracy and integrity of the
25 voucher redemption system.

1 “(4) EXPIRATION.—

2 “(A) CANDIDATES.—A voucher may only
3 be used to pay for broadcast airtime for polit-
4 ical advertisements to be broadcast before mid-
5 night on the day before the date of the Federal
6 election in connection with which it was issued
7 and shall be null and void for any other use or
8 purpose.

9 “(B) EXCEPTION FOR POLITICAL PARTY
10 COMMITTEES.—A voucher held by a political
11 party committee may be used to pay for broad-
12 cast airtime for political advertisements to be
13 broadcast before midnight on December 31st of
14 the odd-numbered year following the year in
15 which the voucher was issued by the Commis-
16 sion.

17 “(5) VOUCHER AS EXPENDITURE UNDER
18 FECA.—The use of a voucher to purchase broadcast
19 airtime constitutes an expenditure as defined in sec-
20 tion 301(9)(A).

21 “(f) DEFINITIONS.—In this section:

22 “(1) BROADCASTING STATION.—The term
23 ‘broadcasting station’ has the meaning given that
24 term by section 315(f)(1) of the Communications
25 Act of 1934.

1 “(2) POLITICAL PARTY.—The term ‘political
 2 party’ means a major party or a minor party as de-
 3 fined in section 9002 (3) or (4) of the Internal Rev-
 4 enue Code of 1986 (26 U.S.C. 9002 (3) or (4)).

5 **“Subtitle D—Administrative** 6 **Provisions**

7 **“SEC. 531. FAIR ELECTIONS OVERSIGHT BOARD.**

8 “(a) ESTABLISHMENT.—There is established within
 9 the Federal Election Commission an entity to be known
 10 as the ‘Fair Elections Oversight Board’.

11 “(b) STRUCTURE AND MEMBERSHIP.—

12 “(1) IN GENERAL.—The Board shall be com-
 13 posed of 5 members appointed by the President by
 14 and with the advice and consent of the Senate, of
 15 whom—

16 “(A) 2 shall be appointed after consulta-
 17 tion with the majority leader of the Senate;

18 “(B) 2 shall be appointed after consulta-
 19 tion with the minority leader of the Senate; and

20 “(C) 1 shall be appointed upon the rec-
 21 ommendation of the members appointed under
 22 subparagraphs (A) and (B).

23 “(2) QUALIFICATIONS.—

24 “(A) IN GENERAL.—The members shall be
 25 individuals who are nonpartisan and, by reason

1 of their education, experience, and attainments,
2 exceptionally qualified to perform the duties of
3 members of the Board.

4 “(B) PROHIBITION.—No member of the
5 Board may be—

6 “(i) an employee of the Federal Gov-
7 ernment;

8 “(ii) a registered lobbyist; or

9 “(iii) an officer or employee of a polit-
10 ical party or political campaign.

11 “(3) DATE.—Members of the Board shall be
12 appointed not later than 60 days after the date of
13 the enactment of this Act.

14 “(4) TERMS.—A member of the Board shall be
15 appointed for a term of 5 years.

16 “(5) VACANCIES.—A vacancy on the Board
17 shall be filled not later than 30 calendar days after
18 the date on which the Board is given notice of the
19 vacancy, in the same manner as the original ap-
20 pointment. The individual appointed to fill the va-
21 cancy shall serve only for the unexpired portion of
22 the term for which the individual’s predecessor was
23 appointed.

1 “(6) CHAIRPERSON.—The Board shall des-
 2 ignate a Chairperson from among the members of
 3 the Board.

4 “(c) DUTIES AND POWERS.—

5 “(1) ADMINISTRATION.—

6 “(A) IN GENERAL.—The Board shall have
 7 such duties and powers as the Commission may
 8 prescribe, including the power to administer the
 9 provisions of this title.

10 “(2) REVIEW OF FAIR ELECTIONS FINANC-
 11 ING.—

12 “(A) IN GENERAL.—After each general
 13 election for Federal office, the Board shall con-
 14 duct a comprehensive review of the Fair Elec-
 15 tions financing program under this title, includ-
 16 ing—

17 “(i) the maximum dollar amount of
 18 qualified small dollar contributions under
 19 section 501(11);

20 “(ii) the maximum and minimum dol-
 21 lar amounts for qualifying contributions
 22 under section 501(10);

23 “(iii) the number and value of quali-
 24 fying contributions a candidate is required

1 to obtain under section 512 to qualify for
2 allocations from the Fund;

3 “(iv) the amount of allocations from
4 the Fund that candidates may receive
5 under section 522;

6 “(v) the maximum amount of match-
7 ing contributions a candidate may receive
8 under section 523;

9 “(vi) the amount and usage of vouch-
10 ers under section 524;

11 “(vii) the overall satisfaction of par-
12 ticipating candidates and the American
13 public with the program; and

14 “(viii) such other matters relating to
15 financing of Senate campaigns as the
16 Board determines are appropriate.

17 “(B) CRITERIA FOR REVIEW.—In con-
18 ducting the review under subparagraph (A), the
19 Board shall consider the following:

20 “(i) QUALIFYING CONTRIBUTIONS
21 AND QUALIFIED SMALL DOLLAR CON-
22 TRIBUTIONS.—The Board shall consider
23 whether the number and dollar amount of
24 qualifying contributions required and max-
25 imum dollar amount for such qualifying

1 contributions and qualified small dollar
2 contributions strikes a balance regarding
3 the importance of voter involvement, the
4 need to assure adequate incentives for par-
5 ticipating, and fiscal responsibility, taking
6 into consideration the number of primary
7 and general election participating can-
8 didates, the electoral performance of those
9 candidates, program cost, and any other
10 information the Board determines is ap-
11 propriate.

12 “(ii) REVIEW OF PROGRAM BENE-
13 FITS.—The Board shall consider whether
14 the totality of the amount of funds allowed
15 to be raised by participating candidates
16 (including through qualifying contributions
17 and small dollar contributions), allocations
18 from the Fund under section 522, match-
19 ing contributions under section 523, and
20 vouchers under section 524 are sufficient
21 for voters in each State to learn about the
22 candidates to cast an informed vote, taking
23 into account the historic amount of spend-
24 ing by winning candidates, media costs,
25 primary election dates, and any other in-

formation the Board determines is appropriate.

“(C) ADJUSTMENT OF AMOUNTS.—

“(i) IN GENERAL.—Based on the review conducted under subparagraph (A), the Board shall provide for the adjustments of the following amounts:

“(I) the maximum dollar amount of qualified small dollar contributions under section 501(11)(C);

“(II) the maximum and minimum dollar amounts for qualifying contributions under section 501(10)(A);

“(III) the number and value of qualifying contributions a candidate is required to obtain under section 512(a)(1);

“(IV) the base amount for candidates under section 522(d);

“(V) the maximum amount of matching contributions a candidate may receive under section 523(b); and

“(VI) the dollar amount for vouchers under section 524(c).

1 “(ii) REGULATIONS.—The Commis-
2 sion shall promulgate regulations providing
3 for the adjustments made by the Board
4 under clause (i).

5 “(D) REPORT.—Not later than March 30
6 following any general election for Federal office,
7 the Board shall submit a report to Congress on
8 the review conducted under paragraph (1).
9 Such report shall contain a detailed statement
10 of the findings, conclusions, and recommenda-
11 tions of the Board based on such review.

12 “(d) MEETINGS AND HEARINGS.—

13 “(1) MEETINGS.—The Board may hold such
14 hearings, sit and act at such times and places, take
15 such testimony, and receive such evidence as the
16 Board considers advisable to carry out the purposes
17 of this Act.

18 “(2) QUORUM.—Three members of the Board
19 shall constitute a quorum for purposes of voting, but
20 a quorum is not required for members to meet and
21 hold hearings.

22 “(e) REPORTS.—Not later than March 30, 2017, and
23 every 2 years thereafter, the Board shall submit to the
24 Senate Committee on Rules and Administration a report
25 documenting, evaluating, and making recommendations

1 relating to the administrative implementation and enforce-
 2 ment of the provisions of this title.

3 “(f) ADMINISTRATION.—

4 “(1) COMPENSATION OF MEMBERS.—

5 “(A) IN GENERAL.—Each member, other
 6 than the Chairperson, shall be paid at a rate
 7 equal to the daily equivalent of the minimum
 8 annual rate of basic pay prescribed for level IV
 9 of the Executive Schedule under section 5315
 10 of title 5, United States Code.

11 “(B) CHAIRPERSON.—The Chairperson
 12 shall be paid at a rate equal to the daily equiva-
 13 lent of the minimum annual rate of basic pay
 14 prescribed for level III of the Executive Sched-
 15 ule under section 5314 of title 5, United States
 16 Code.

17 “(2) PERSONNEL.—

18 “(A) DIRECTOR.—The Board shall have a
 19 staff headed by an Executive Director. The Ex-
 20 ecutive Director shall be paid at a rate equiva-
 21 lent to a rate established for the Senior Execu-
 22 tive Service under section 5382 of title 5,
 23 United States Code.

24 “(B) STAFF APPOINTMENT.—With the ap-
 25 proval of the Chairperson, the Executive Direc-

1 tor may appoint such personnel as the Execu-
2 tive Director and the Board determines to be
3 appropriate.

4 “(C) ACTUARIAL EXPERTS AND CONSULT-
5 ANTS.—With the approval of the Chairperson,
6 the Executive Director may procure temporary
7 and intermittent services under section 3109(b)
8 of title 5, United States Code.

9 “(D) DETAIL OF GOVERNMENT EMPLOY-
10 EES.—Upon the request of the Chairperson, the
11 head of any Federal agency may detail, without
12 reimbursement, any of the personnel of such
13 agency to the Board to assist in carrying out
14 the duties of the Board. Any such detail shall
15 not interrupt or otherwise affect the civil service
16 status or privileges of the Federal employee.

17 “(E) OTHER RESOURCES.—The Board
18 shall have reasonable access to materials, re-
19 sources, statistical data, and other information
20 from the Library of Congress and other agen-
21 cies of the executive and legislative branches of
22 the Federal Government. The Chairperson of
23 the Board shall make requests for such access
24 in writing when necessary.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated such sums as are nec-
 3 essary to carry out the purposes of this subtitle.

4 **“SEC. 532. ADMINISTRATION PROVISIONS.**

5 “The Commission shall prescribe regulations to carry
 6 out the purposes of this title, including regulations—

7 “(1) to establish procedures for—

8 “(A) verifying the amount of valid quali-
 9 fying contributions with respect to a candidate;

10 “(B) effectively and efficiently monitoring
 11 and enforcing the limits on the raising of quali-
 12 fied small dollar contributions;

13 “(C) effectively and efficiently monitoring
 14 and enforcing the limits on the use of personal
 15 funds by participating candidates;

16 “(D) monitoring the use of allocations
 17 from the Fund and matching contributions
 18 under this title through audits or other mecha-
 19 nisms; and

20 “(E) the administration of the voucher
 21 program under section 524; and

22 “(2) regarding the conduct of debates in a man-
 23 ner consistent with the best practices of States that
 24 provide public financing for elections.

1 **“SEC. 533. VIOLATIONS AND PENALTIES.**

2 “(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBU-
 3 TION AND EXPENDITURE REQUIREMENTS.—If a can-
 4 didate who has been certified as a participating candidate
 5 under section 515(a) accepts a contribution or makes an
 6 expenditure that is prohibited under section 513, the Com-
 7 mission shall assess a civil penalty against the candidate
 8 in an amount that is not more than 3 times the amount
 9 of the contribution or expenditure. Any amounts collected
 10 under this subsection shall be deposited into the Fund.

11 “(b) REPAYMENT FOR IMPROPER USE OF FAIR
 12 ELECTIONS FUND.—

13 “(1) IN GENERAL.—If the Commission deter-
 14 mines that any benefit made available to a partici-
 15 pating candidate under this title was not used as
 16 provided for in this title or that a participating can-
 17 didate has violated any of the dates for remission of
 18 funds contained in this title, the Commission shall
 19 so notify the candidate and the candidate shall pay
 20 to the Fund an amount equal to—

21 “(A) the amount of benefits so used or not
 22 remitted, as appropriate; and

23 “(B) interest on any such amounts (at a
 24 rate determined by the Commission).

25 “(2) OTHER ACTION NOT PRECLUDED.—Any
 26 action by the Commission in accordance with this

1 subsection shall not preclude enforcement pro-
 2 ceedings by the Commission in accordance with sec-
 3 tion 309(a), including a referral by the Commission
 4 to the Attorney General in the case of an apparent
 5 knowing and willful violation of this title.”.

6 **SEC. 103. PROHIBITION ON JOINT FUNDRAISING COMMIT-**
 7 **TEES.**

8 Section 302(e) of the Federal Election Campaign Act
 9 of 1971 (2 U.S.C. 432(e)) is amended by adding at the
 10 end the following new paragraph:

11 “(6) No authorized committee of a participating
 12 candidate (as defined in section 501) may establish
 13 a joint fundraising committee with a political com-
 14 mittee other than an authorized committee of a can-
 15 didate.”.

16 **SEC. 104. EXCEPTION TO LIMITATION ON COORDINATED**
 17 **EXPENDITURES BY POLITICAL PARTY COM-**
 18 **MITTEES WITH PARTICIPATING CANDIDATES.**

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

21 (1) in paragraph (3)(A), by striking “in the
 22 case of” and inserting “except as provided in para-
 23 graph (5), in the case of”; and

24 (2) by adding at the end the following new
 25 paragraph:

1 “(5)(A) The limitation under paragraph (3)(A) shall
2 not apply with respect to any expenditure from a qualified
3 political party-participating candidate coordinated expend-
4 iture fund.

5 “(B) In this paragraph, the term ‘qualified political
6 party-participating candidate coordinated expenditure
7 fund’ means a fund established by the national committee
8 of a political party, or a State committee of a political
9 party, including any subordinate committee of a State
10 committee, for purposes of making expenditures in connec-
11 tion with the general election campaign of a candidate for
12 election to the office of Senator who is a participating can-
13 didate (as defined in section 501), that only accepts quali-
14 fied coordinated expenditure contributions.

15 “(C) In this paragraph, the term ‘qualified coordi-
16 nated expenditure contribution’ means, with respect to the
17 general election campaign of a candidate for election to
18 the office of Senator who is a participating candidate (as
19 defined in section 501), any contribution (or series of con-
20 tributions)—

21 “(i) which is made by an individual who is not
22 prohibited from making a contribution under this
23 Act; and

24 “(ii) the aggregate amount of which does not
25 exceed \$500 per election.”.

1 **TITLE II—IMPROVING VOTER**
 2 **INFORMATION**

3 **SEC. 201. BROADCASTS RELATING TO ALL SENATE CAN-**
 4 **DIDATES.**

5 (a) LOWEST UNIT CHARGE; NATIONAL COMMIT-
 6 TEES.—Section 315(b) of the Communications Act of
 7 1934 (47 U.S.C. 315(b)) is amended—

8 (1) by striking “to such office” in paragraph
 9 (1) and inserting “to such office, or by a national
 10 committee of a political party on behalf of such can-
 11 didate in connection with such campaign,”; and

12 (2) by inserting “for pre-emptible use thereof”
 13 after “station” in subparagraph (A) of paragraph
 14 (1).

15 (b) PREEMPTION; AUDITS.—Section 315 of such Act
 16 (47 U.S.C. 315) is amended—

17 (1) by redesignating subsections (c) and (d) as
 18 subsections (e) and (f), respectively and moving
 19 them to follow the existing subsection (e);

20 (2) by redesignating the existing subsection (e)
 21 as subsection (c); and

22 (3) by inserting after subsection (c) (as redesign-
 23 ated by paragraph (2)) the following:

24 “(d) PREEMPTION.—

1 “(1) IN GENERAL.—Except as provided in para-
 2 graph (2), and notwithstanding the requirements of
 3 subsection (b)(1)(A), a licensee shall not preempt
 4 the use of a broadcasting station by a legally quali-
 5 fied candidate for Senate who has purchased and
 6 paid for such use.

7 “(2) CIRCUMSTANCES BEYOND CONTROL OF LI-
 8 CENSEE.—If a program to be broadcast by a broad-
 9 casting station is preempted because of cir-
 10 cumstances beyond the control of the station, any
 11 candidate or party advertising spot scheduled to be
 12 broadcast during that program shall be treated in
 13 the same fashion as a comparable commercial adver-
 14 tising spot.

15 “(e) AUDITS.—During the 30-day period preceding
 16 a primary election and the 60-day period preceding a gen-
 17 eral election, the Commission shall conduct such audits
 18 as it deems necessary to ensure that each broadcaster to
 19 which this section applies is allocating television broadcast
 20 advertising time in accordance with this section and sec-
 21 tion 312.”.

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

25 (1) by striking “or repeated”;

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

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

7 (d) **STYLISTIC AMENDMENTS.**—Section 315 of such
8 Act (47 U.S.C. 315) is amended—

9 (1) by striking “the” in subsection (e)(1), as re-
10 designated by subsection (b)(1), and inserting
11 “BROADCASTING STATION.—”;

12 (2) by striking “the” in subsection (e)(2), as re-
13 designated by subsection (b)(1), and inserting “LI-
14 CENSEE; STATION LICENSEE.—”; and

15 (3) by inserting “REGULATIONS.—” in sub-
16 section (f), as redesignated by subsection (b)(1), be-
17 fore “The Commission”.

18 **SEC. 202. BROADCAST RATES FOR PARTICIPATING CAN-**
19 **DIDATES.**

20 Section 315(b) of the Communications Act of 1934
21 (47 U.S.C. 315(b)), as amended by subsection (a), is
22 amended—

23 (1) in paragraph (1)(A), by striking “paragraph
24 (2)” and inserting “paragraphs (2) and (3)”; and

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

1 “(3) PARTICIPATING CANDIDATES.—In the case
 2 of a participating candidate (as defined under sec-
 3 tion 501(9) of the Federal Election Campaign Act of
 4 1971), the charges made for the use of any broad-
 5 casting station for a television broadcast shall not
 6 exceed 80 percent of the lowest charge described in
 7 paragraph (1)(A) during—

8 “(A) the 45 days preceding the date of a
 9 primary or primary runoff election in which the
 10 candidate is opposed; and

11 “(B) the 60 days preceding the date of a
 12 general or special election in which the can-
 13 didate is opposed.

14 “(4) RATE CARDS.—A licensee shall provide to
 15 a candidate for Senate a rate card that discloses—

16 “(A) the rate charged under this sub-
 17 section; and

18 “(B) the method that the licensee uses to
 19 determine the rate charged under this sub-
 20 section.”.

21 **SEC. 203. FCC TO PRESCRIBE STANDARDIZED FORM FOR**
 22 **REPORTING CANDIDATE CAMPAIGN ADS.**

23 (a) IN GENERAL.—Within 90 days after the date of
 24 enactment of this Act, the Federal Communications Com-
 25 mission shall initiate a rulemaking proceeding to establish

1 a standardized form to be used by broadcasting stations,
 2 as defined in section 315(f)(1) of the Communications Act
 3 of 1934 (47 U.S.C. 315(f)(1)), to record and report the
 4 purchase of advertising time by or on behalf of a candidate
 5 for nomination for election, or for election, to Federal elec-
 6 tive office.

7 (b) CONTENTS.—The form prescribed by the Com-
 8 mission under subsection (a) shall require, broadcasting
 9 stations to report to the Commission and to the Federal
 10 Election Commission, at a minimum—

11 (1) the station call letters and mailing address;

12 (2) the name and telephone number of the sta-
 13 tion's sales manager (or individual with responsi-
 14 bility for advertising sales);

15 (3) the name of the candidate who purchased
 16 the advertising time, or on whose behalf the adver-
 17 tising time was purchased, and the Federal elective
 18 office for which he or she is a candidate;

19 (4) the name, mailing address, and telephone
 20 number of the person responsible for purchasing
 21 broadcast political advertising for the candidate;

22 (5) notation as to whether the purchase agree-
 23 ment for which the information is being reported is
 24 a draft or final version; and

1 (6) the following information about the adver-
 2 tisement:

3 (A) The date and time of the broadcast.

4 (B) The program in which the advertise-
 5 ment was broadcast.

6 (C) The length of the broadcast airtime.

7 (c) INTERNET ACCESS.—In its rulemaking under
 8 subsection (a), the Commission shall require any broad-
 9 casting station required to file a report under this section
 10 that maintains an Internet website to make available a
 11 link to such reports on that website.

12 **TITLE III—RESPONSIBILITIES** 13 **OF THE FEDERAL ELECTION** 14 **COMMISSION**

15 **SEC. 301. PETITION FOR CERTIORARI.**

16 Section 307(a)(6) of the Federal Election Campaign
 17 Act of 1971 (2 U.S.C. 437d(a)(6)) is amended by insert-
 18 ing “(including a proceeding before the Supreme Court on
 19 certiorari)” after “appeal”.

20 **SEC. 302. FILING BY SENATE CANDIDATES WITH COMMIS-** 21 **SION.**

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

24 “(g) FILING WITH THE COMMISSION.—All des-
 25 ignations, statements, and reports required to be

1 filed under this Act shall be filed with the Commis-
 2 sion.”.

3 **SEC. 303. ELECTRONIC FILING OF FEC REPORTS.**

4 Section 304(a)(11) of the Federal Election Campaign
 5 Act of 1971 (2 U.S.C. 434(a)(11)) is amended—

6 (1) in subparagraph (A), by striking “under
 7 this Act—” and all that follows and inserting
 8 “under this Act shall be required to maintain and
 9 file such designation, statement, or report in elec-
 10 tronic form accessible by computers.”;

11 (2) in subparagraph (B), by striking “48
 12 hours” and all that follows through “filed electroni-
 13 cally)” and inserting “24 hours”; and

14 (3) by striking subparagraph (D).

15 **TITLE IV—PARTICIPATION IN**
 16 **FUNDING OF ELECTIONS**

17 **SEC. 401. REFUNDABLE TAX CREDIT FOR SENATE CAM-**
 18 **PAIGN CONTRIBUTIONS.**

19 (a) IN GENERAL.—Subpart C of part IV of sub-
 20 chapter A of chapter 1 of the Internal Revenue Code of
 21 1986 (relating to refundable credits) is amended by insert-
 22 ing after section 36B the following new section:

1 **“SEC. 36C. CREDIT FOR SENATE CAMPAIGN CONTRIBU-**
 2 **TIONS.**

3 “(a) IN GENERAL.—In the case of an individual,
 4 there shall be allowed as a credit against the tax imposed
 5 by this subtitle an amount equal to 50 percent of the
 6 qualified My Voice Federal Senate campaign contributions
 7 paid or incurred by the taxpayer during the taxable year.

8 “(b) LIMITATIONS.—

9 “(1) DOLLAR LIMITATION.—The amount of
 10 qualified My Voice Federal Senate campaign con-
 11 tributions taken into account under subsection (a)
 12 for the taxable year shall not exceed \$50 (twice such
 13 amount in the case of a joint return).

14 “(2) LIMITATION ON CONTRIBUTIONS TO FED-
 15 ERAL SENATE CANDIDATES.—No credit shall be al-
 16 lowed under this section to any taxpayer for any tax-
 17 able year if such taxpayer made aggregate contribu-
 18 tions in excess of \$300 during the taxable year to—

19 “(A) any single Federal Senate candidate,
 20 or

21 “(B) any political committee established
 22 and maintained by a national political party.

23 “(3) PROVISION OF INFORMATION.—No credit
 24 shall be allowed under this section to any taxpayer
 25 unless the taxpayer provides the Secretary with such
 26 information as the Secretary may require to verify

1 the taxpayer’s eligibility for the credit and the
 2 amount of the credit for the taxpayer.

3 “(c) QUALIFIED MY VOICE FEDERAL SENATE CON-
 4 TRIBUTIONS.—For purposes of this section, the term ‘My
 5 Voice Federal Senate campaign contribution’ means any
 6 contribution of cash by an individual to a Federal Senate
 7 candidate or to a political committee established and
 8 maintained by a national political party if such contribu-
 9 tion is not prohibited under the Federal Election Cam-
 10 paign Act of 1971.

11 “(d) FEDERAL SENATE CANDIDATE.—For purposes
 12 of this section—

13 “(1) IN GENERAL.—The term ‘Federal Senate
 14 candidate’ means any candidate for election to the
 15 office of Senator.

16 “(2) TREATMENT OF AUTHORIZED COMMIT-
 17 TEES.—Any contribution made to an authorized
 18 committee of a Federal Senate candidate shall be
 19 treated as made to such candidate.

20 “(e) INFLATION ADJUSTMENT.—

21 “(1) IN GENERAL.—In the case of a taxable
 22 year beginning after 2017, the \$50 amount under
 23 subsection (b)(1) shall be increased by an amount
 24 equal to—

25 “(A) such dollar amount, multiplied by

1 “(B) the cost-of-living adjustment deter-
 2 mined under section 1(f)(3) for the calendar
 3 year in which the taxable year begins, deter-
 4 mined by substituting ‘calendar year 2016’ for
 5 ‘calendar year 1992’ in subparagraph (B)
 6 thereof.

7 “(2) ROUNDING.—If any amount as adjusted
 8 under subparagraph (A) is not a multiple of \$5,
 9 such amount shall be rounded to the nearest mul-
 10 tiple of \$5.”.

11 (b) CONFORMING AMENDMENTS.—

12 (1) Section 6211(b)(4)(A) of such Code is
 13 amended by inserting “36C,” after “36B,”.

14 (2) Section 1324(b)(2) of title 31, United
 15 States Code, is amended by inserting “36C,” after
 16 “36B,”.

17 (3) The table of sections for subpart C of part
 18 IV of subchapter A of chapter 1 of the Internal Rev-
 19 enue Code of 1986 is amended by inserting after the
 20 item relating to section 36B the following new item:

“Sec. 36C. Credit for Senate campaign contributions.”.

21 (c) FORMS.—The Secretary of the Treasury, or his
 22 designee, shall ensure that the credit for contributions to
 23 Federal Senate candidates allowed under section 36C of
 24 the Internal Revenue Code of 1986, as added by this sec-
 25 tion, may be claimed on Forms 1040EZ and 1040A.

1 (d) ADMINISTRATION.—At the request of the Sec-
 2 retary of the Treasury, the Federal Election Commission
 3 shall provide the Secretary of the Treasury with such in-
 4 formation and other assistance as the Secretary may rea-
 5 sonably require to administer the credit allowed under sec-
 6 tion 36C of the Internal Revenue Code of 1986, as added
 7 by this section.

8 (e) EFFECTIVE DATE.—The amendments made by
 9 this section shall apply to taxable years beginning after
 10 December 31, 2016.

11 **TITLE V—REVENUE PROVISIONS**

12 **SEC. 501. FAIR ELECTIONS FUND REVENUE.**

13 (a) IN GENERAL.—The Internal Revenue Code of
 14 1986 is amended by inserting after chapter 36 the fol-
 15 lowing new chapter:

16 **“CHAPTER 37—TAX ON PAYMENTS PURSU-** 17 **ANT TO CERTAIN GOVERNMENT CON-** 18 **TRACTS**

“Sec. 4501. Imposition of tax.

19 **“SEC. 4501. IMPOSITION OF TAX.**

20 “(a) TAX IMPOSED.—There is hereby imposed on any
 21 payment made to a qualified person pursuant to a contract
 22 with the Government of the United States a tax equal to
 23 0.50 percent of the amount paid.

1 “(b) LIMITATION.—The aggregate amount of tax im-
 2 posed under subsection (a) for any calendar year shall not
 3 exceed \$500,000.

4 “(c) QUALIFIED PERSON.—For purposes of this sec-
 5 tion, the term ‘qualified person’ means any person
 6 which—

7 “(1) is not a State or local government, a for-
 8 eign nation, or an organization described in section
 9 501(c)(3) which is exempt from taxation under sec-
 10 tion 501(a), and

11 “(2) has contracts with the Government of the
 12 United States with a value in excess of \$10,000,000.

13 “(d) PAYMENT OF TAX.—The tax imposed by this
 14 section shall be paid by the person receiving such payment.

15 “(e) USE OF REVENUE GENERATED BY TAX.—It is
 16 the sense of the Senate that amounts equivalent to the
 17 revenue generated by the tax imposed under this chapter
 18 should be appropriated for the financing of a Fair Elec-
 19 tions Fund and used for the public financing of Senate
 20 elections.”.

21 (b) CONFORMING AMENDMENT.—The table of chap-
 22 ters of the Internal Revenue Code of 1986 is amended by
 23 inserting after the item relating to chapter 36 the fol-
 24 lowing:

“CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT
 CONTRACTS”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to contracts entered into after the
3 date of the enactment of this Act.

4 **TITLE VI—MISCELLANEOUS**
5 **PROVISIONS**

6 **SEC. 601. SEVERABILITY.**

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

14 **SEC. 602. EFFECTIVE DATE.**

15 Except as otherwise provided for in this Act, this Act
16 and the amendments made by this Act shall take effect
17 on January 1, 2017.

