

114TH CONGRESS
2D SESSION

S. 3250

To amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, to establish a system of public financing for Congressional elections, to promote the disclosure of disbursements made in coordination with campaigns for election for Federal office, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Mr. UDALL introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, to establish a system of public financing for Congressional elections, to promote the disclosure of disbursements made in coordination with campaigns for election 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 “Empowering Citizens Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—REFORM OF PRESIDENTIAL ELECTION FINANCING

Subtitle A—Primary Elections

- Sec. 101. Increase in and modifications to matching payments.
- Sec. 102. Eligibility requirements for matching payments.
- Sec. 103. Repeal of expenditure limitations.
- Sec. 104. Period of availability of matching payments.
- Sec. 105. Examination and audits of matchable contributions.
- Sec. 106. Modification to limitation on contributions for Presidential primary candidates.

Subtitle B—General Elections

- Sec. 111. Modification of eligibility requirements for public financing.
- Sec. 112. Repeal of expenditure limitations and use of qualified campaign contributions.
- Sec. 113. Matching payments and other modifications to payment amounts.
- Sec. 114. Increase in limit on coordinated party expenditures.
- Sec. 115. Establishment of uniform date for release of payments.
- Sec. 116. Amounts in Presidential Election Campaign Fund.
- Sec. 117. Use of general election payments for general election legal and accounting compliance.

TITLE II—PUBLIC FINANCING FOR CONGRESSIONAL ELECTION CAMPAIGNS

- Sec. 201. Benefits and eligibility requirements for Congressional candidates.
- Sec. 202. Permitting unlimited coordinated expenditures by political party committees on behalf of participating candidates if expenditures are derived from small dollar contributions.
- Sec. 203. Prohibiting use of contributions by participating candidates for purposes other than campaign for election.

TITLE III—COORDINATED CAMPAIGN ACTIVITY

- Sec. 301. Clarification of treatment of coordinated expenditures as contributions to candidates.
- Sec. 302. Clarification of ban on fundraising for super PACs by Federal candidates and officeholders.

TITLE IV—USE OF PRESIDENTIAL ELECTION CAMPAIGN FUND FOR PUBLIC FINANCING OF FEDERAL ELECTIONS

- Sec. 401. Use of Presidential Election Campaign Fund for Congressional candidates.
- Sec. 402. Revisions to designation of income tax payments by individual taxpayers.
- Sec. 403. Donation to Presidential Election Campaign Fund.

TITLE V—OTHER CAMPAIGN FINANCE REFORMS

Sec. 501. Regulations with respect to best efforts for identifying persons making contributions.

Sec. 502. Rules relating to joint fundraising committees.

Sec. 503. Disclosure of bundled contributions to Presidential campaigns; increase in threshold for bundled contributions by lobbyists.

Sec. 504. Repeal of special contribution limits for contributions to national parties for certain purposes.

Sec. 505. Judicial review of actions related to campaign finance laws.

TITLE VI—SEVERABILITY; EFFECTIVE DATE

Sec. 601. Severability.

Sec. 602. Effective date.

1 **TITLE I—REFORM OF PRESI-** 2 **DENTIAL ELECTION FINANC-** 3 **ING**

4 **Subtitle A—Primary Elections**

5 **SEC. 101. INCREASE IN AND MODIFICATIONS TO MATCHING** 6 **PAYMENTS.**

7 (a) INCREASE AND MODIFICATION.—

8 (1) IN GENERAL.—The first sentence of section
9 9034(a) of the Internal Revenue Code of 1986 is
10 amended—

11 (A) by striking “an amount equal to the
12 amount of each contribution” and inserting “an
13 amount equal to 600 percent of the amount of
14 each matchable contribution (disregarding any
15 amount of contributions from any person to the
16 extent that the total of the amounts contributed
17 by such person for the election exceeds \$200)”;
18 and

1 (B) by striking “authorized committees”
2 and all that follows through “\$250” and insert-
3 ing “authorized committees”.

4 (2) MATCHABLE CONTRIBUTIONS.—Section
5 9034 of such Code is amended—

6 (A) by striking the last sentence of sub-
7 section (a); and

8 (B) by inserting after subsection (b) the
9 following new subsection:

10 “(c) MATCHABLE CONTRIBUTION DEFINED.—For
11 purposes of this section and section 9033(b)—

12 “(1) MATCHABLE CONTRIBUTION.—The term
13 ‘matchable contribution’ means, with respect to the
14 nomination for election to the office of President of
15 the United States, a contribution by an individual to
16 a candidate or an authorized committee of a can-
17 didate with respect to which the candidate has cer-
18 tified in writing that—

19 “(A) the individual making such contribu-
20 tion has not made aggregate contributions (in-
21 cluding such matchable contribution) to such
22 candidate and the authorized committees of
23 such candidate in excess of \$1,000 for the elec-
24 tion;

1 “(B) such candidate and the authorized
2 committees of such candidate will not accept
3 contributions from such individual (including
4 such matchable contribution) aggregating more
5 than the amount described in subparagraph
6 (A); and

7 “(C) such contribution was not—

8 “(i) forwarded from the contributor
9 by any person other than an individual, or

10 “(ii) received by the candidate or com-
11 mittee from a contributor or contributors,
12 but credited by the committee or candidate
13 to another person who is not an individual
14 through records, designations, or other
15 means of recognizing (whether in writing
16 or not in writing) that a certain amount of
17 money has been raised by such person.

18 “(2) CONTRIBUTION.—For purposes of this
19 subsection, the term ‘contribution’ means a gift of
20 money made by a written instrument which identi-
21 fies the individual making the contribution by full
22 name and mailing address, but does not include a
23 subscription, loan, advance, or deposit of money, or
24 anything of value or anything described in subpara-
25 graph (B), (C), or (D) of section 9032(4).”.

1 (3) CONFORMING AMENDMENTS.—

2 (A) Section 9032(4) of such Code is
3 amended by striking “section 9034(a)” and in-
4 serting “section 9034”.

5 (B) Section 9033(b)(3) of such Code is
6 amended by striking “matching contributions”
7 and inserting “matchable contributions”.

8 (b) MODIFICATION OF PAYMENT LIMITATION.—

9 (1) IN GENERAL.—Section 9034(b) of such
10 Code is amended—

11 (A) by striking “Every” and inserting the
12 following:

13 “(1) IN GENERAL.—Every”,

14 (2) by striking “shall not exceed” and all that
15 follows and inserting “shall not exceed
16 \$300,000,000.”, and

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

19 “(3) INFLATION ADJUSTMENT.—

20 “(A) IN GENERAL.—In the case of any ap-
21 plicable period beginning after 2019, the dollar
22 amount in paragraph (1) shall be increased by
23 an amount equal to—

24 “(i) such dollar amount, multiplied by

1 “(ii) the cost-of-living adjustment de-
 2 termined under section 1(f)(3) for the cal-
 3 endar year following the year which such
 4 applicable period begins, determined by
 5 substituting ‘calendar year 2018’ for ‘cal-
 6 endar year 1992’ in subparagraph (B)
 7 thereof.

8 “(B) APPLICABLE PERIOD.—For purposes
 9 of this paragraph, the term ‘applicable period’
 10 means the 4-year period beginning with the
 11 first day following the date of the general elec-
 12 tion for the office of President and ending on
 13 the date of the next such general election.

14 “(C) ROUNDING.—If any amount as ad-
 15 justed under subparagraph (1) is not a multiple
 16 of \$10,000, such amount shall be rounded to
 17 the nearest multiple of \$10,000.”.

18 **SEC. 102. ELIGIBILITY REQUIREMENTS FOR MATCHING**
 19 **PAYMENTS.**

20 (a) AMOUNT OF AGGREGATE CONTRIBUTIONS PER
 21 STATE; DISREGARDING OF AMOUNTS CONTRIBUTED IN
 22 EXCESS OF \$200.—Section 9033(b)(3) of the Internal
 23 Revenue Code of 1986 is amended—

24 (1) by striking “\$5,000” and inserting
 25 “\$25,000”; and

1 (2) by striking “20 States” and inserting the
2 following: “20 States (disregarding any amount of
3 contributions from any such resident to the extent
4 that the total of the amounts contributed by such
5 resident for the election exceeds \$200)”.

6 (b) CONTRIBUTION LIMIT.—

7 (1) IN GENERAL.—Paragraph (4) of section
8 9033(b) of such Code is amended to read as follows:

9 “(4) the candidate and the authorized commit-
10 tees of the candidate will not accept aggregate con-
11 tributions from any person with respect to the nomi-
12 nation for election to the office of President of the
13 United States in excess of \$1,000 for the election.”.

14 (2) CONFORMING AMENDMENTS.—

15 (A) Section 9033(b) of such Code is
16 amended by adding at the end the following
17 new flush sentence:

18 “For purposes of paragraph (4), the term ‘contribution’
19 has the meaning given such term in section 301(8) of the
20 Federal Election Campaign Act of 1971.”.

21 (B) Section 9032(4) of such Code, as
22 amended by section 101(a)(3)(A) is amended by
23 inserting “or 9033(b)” after “9034”.

1 (c) BAN ON ACCEPTANCE OF BUNDLED CONTRIBU-
2 TIONS.—Section 9033(b) of such Code, as amended by
3 subsection (b), is amended—

4 (1) by striking “and” at the end of paragraph
5 (3);

6 (2) by striking the period at the end of para-
7 graph (4) and inserting “, and”; and

8 (3) by adding at the end the following new
9 paragraph:

10 “(5) the candidate and the authorized com-
11 mittee of the candidate will not accept any bundled
12 contribution (as defined in section 304(i)(8) of the
13 Federal Election Campaign Act of 1971) forwarded
14 by or credited to a person described in section
15 304(i)(7) of such Act.”.

16 (d) PARTICIPATION IN SYSTEM FOR PAYMENTS FOR
17 GENERAL ELECTION.—Section 9033(b) of such Code, as
18 amended by subsection (c), is amended—

19 (1) by striking “and” at the end of paragraph
20 (4);

21 (2) by striking the period at the end of para-
22 graph (5) and inserting “, and”; and

23 (3) by adding at the end the following new
24 paragraph:

1 President of the United States will be held” and inserting
 2 “the date that is 6 months prior to the date of the earliest
 3 State primary election”.

4 **SEC. 105. EXAMINATION AND AUDITS OF MATCHABLE CON-**
 5 **TRIBUTIONS.**

6 Section 9038(a) of the Internal Revenue Code of
 7 1986 is amended by inserting “and matchable contribu-
 8 tions accepted by” after “qualified campaign expenses of”.

9 **SEC. 106. MODIFICATION TO LIMITATION ON CONTRIBU-**
 10 **TIONS FOR PRESIDENTIAL PRIMARY CAN-**
 11 **DIDATES.**

12 Section 315(a)(6) of the Federal Election Campaign
 13 Act of 1971 (52 U.S.C. 30116(a)(6)) is amended by strik-
 14 ing “calendar year” and inserting “four-year election
 15 cycle”.

16 **Subtitle B—General Elections**

17 **SEC. 111. MODIFICATION OF ELIGIBILITY REQUIREMENTS**
 18 **FOR PUBLIC FINANCING.**

19 Subsection (a) of section 9003 of the Internal Rev-
 20 enue Code of 1986 is amended to read as follows:

21 “(a) IN GENERAL.—In order to be eligible to receive
 22 any payments under section 9006, the candidates of a po-
 23 litical party in a presidential election shall meet the fol-
 24 lowing requirements:

1 “(1) PARTICIPATION IN PRIMARY PAYMENT
2 SYSTEM.—The candidate for President received pay-
3 ments under chapter 96 for the campaign for nomi-
4 nation for election to be President.

5 “(2) AGREEMENTS WITH COMMISSION.—The
6 candidates, in writing—

7 “(A) agree to obtain and furnish to the
8 Commission such evidence as it may request of
9 the qualified campaign expenses of such can-
10 didates,

11 “(B) agree to keep and furnish to the
12 Commission such records, books, and other in-
13 formation as it may request, and

14 “(C) agree to an audit and examination by
15 the Commission under section 9007 and to pay
16 any amounts required to be paid under such
17 section.

18 “(3) BAN ON BUNDLED CONTRIBUTIONS.—The
19 candidates certify to the Commission, under penalty
20 of perjury and within such time prior to the day of
21 the presidential election as the Commission shall
22 prescribe by rules or regulations, that the candidates
23 and the authorized committees of such candidates
24 will not accept any bundled contribution (as defined
25 in section 304(i)(8) of the Federal Election Cam-

1 received out of the fund on account of the
2 application of section 9006(c), and

3 “(B) such candidates and their authorized
4 committees have not and will not accept any
5 contribution to defray expenses which would be
6 qualified campaign expenses but for subpara-
7 graph (C) of section 9002(11).

8 “(2) TIMING OF CERTIFICATION.—The can-
9 didate shall make the certification required under
10 this subsection at the same time the candidate
11 makes the certification required under subsection
12 (a)(3).”.

13 (b) DEFINITION OF QUALIFIED CAMPAIGN CON-
14 TRIBUTION.—Section 9002 of such Code is amended by
15 adding at the end the following new paragraph:

16 “(13) QUALIFIED CAMPAIGN CONTRIBUTION.—
17 The term ‘qualified campaign contribution’ means,
18 with respect to any election for the office of Presi-
19 dent of the United States, a contribution from an in-
20 dividual to a candidate or an authorized committee
21 of a candidate which—

22 “(A) is made after June 1 of the year in
23 which the election is held;

24 “(B) does not exceed \$1,000 for the elec-
25 tion; and

1 “(C) with respect to which the candidate
2 has certified in writing that—

3 “(i) the individual making such con-
4 tribution has not made aggregate contribu-
5 tions (including such qualified contribu-
6 tion) to such candidate and the authorized
7 committees of such candidate in excess of
8 the amount described in subparagraph (B),
9 and

10 “(ii) such candidate and the author-
11 ized committees of such candidate will not
12 accept contributions from such individual
13 (including such qualified contribution) ag-
14 gregating more than the amount described
15 in subparagraph (B) with respect to such
16 election.”.

17 (e) CONFORMING AMENDMENTS.—

18 (1) REPEAL OF EXPENDITURE LIMITS.—

19 (A) IN GENERAL.—Section 315 of the Fed-
20 eral Election Campaign Act of 1971 (52 U.S.C.
21 30116) is amended by striking subsection (b).

22 (B) CONFORMING AMENDMENTS.—Section
23 315(c) of such Act (52 U.S.C. 30116(c)) is
24 amended—

1 (i) in paragraph (1)(B)(i), by striking
2 “, (b)”;

3 (ii) in paragraph (2)(B)(i), by striking
4 “subsections (b) and (d)” and inserting
5 “subsection (d)”.

6 (2) REPEAL OF REPAYMENT REQUIREMENT.—

7 (A) IN GENERAL.—Section 9007(b) of the
8 Internal Revenue Code of 1986 is amended by
9 striking paragraph (2) and redesignating para-
10 graphs (3), (4), and (5) as paragraphs (2), (3),
11 and (4), respectively.

12 (B) CONFORMING AMENDMENT.—Para-
13 graph (2) of section 9007(b) of such Code, as
14 redesignated by subparagraph (A), is amend-
15 ed—

16 (i) by striking “a major party” and
17 inserting “a party”;

18 (ii) by inserting “qualified contribu-
19 tions and” after “contributions (other
20 than”;

21 (iii) by striking “(other than qualified
22 campaign expenses with respect to which
23 payment is required under paragraph
24 (2))”.

25 (3) CRIMINAL PENALTIES.—

1 (A) REPEAL OF PENALTY FOR EXCESS EX-
2 PENSES.—Section 9012 of the Internal Revenue
3 Code of 1986 is amended by striking subsection
4 (a).

5 (B) PENALTY FOR ACCEPTANCE OF DIS-
6 ALLOWED CONTRIBUTIONS; APPLICATION OF
7 SAME PENALTY FOR CANDIDATES OF MAJOR,
8 MINOR, AND NEW PARTIES.—Subsection (b) of
9 section 9012 of such Code is amended to read
10 as follows:

11 “(b) CONTRIBUTIONS.—

12 “(1) ACCEPTANCE OF DISALLOWED CONTRIBU-
13 TIONS.—It shall be unlawful for an eligible can-
14 didate of a party in a presidential election or any of
15 his authorized committees knowingly and willfully to
16 accept any contribution to defray qualified campaign
17 expenses, except to the extent necessary to make up
18 any deficiency in payments received out of the fund
19 on account of the application of section 9006(c), or
20 to defray expenses which would be qualified cam-
21 paign expenses but for subparagraph (C) of section
22 9002(11).

23 “(2) PENALTY.—Any person who violates para-
24 graph (1) shall be fined not more than \$5,000, or
25 imprisoned not more than one year, or both. In the

1 case of a violation by an authorized committee, any
2 officer or member of such committee who knowingly
3 and willfully consents to such violation shall be fined
4 not more than \$5,000, or imprisoned not more than
5 one year, or both.”.

6 **SEC. 113. MATCHING PAYMENTS AND OTHER MODIFICA-**
7 **TIONS TO PAYMENT AMOUNTS.**

8 (a) IN GENERAL.—

9 (1) AMOUNT OF PAYMENTS; APPLICATION OF
10 SAME AMOUNT FOR CANDIDATES OF MAJOR, MINOR,
11 AND NEW PARTIES.—Subsection (a) of section 9004
12 of the Internal Revenue Code of 1986 is amended to
13 read as follows:

14 “(a) IN GENERAL.—Subject to the provisions of this
15 chapter, the eligible candidates of a party in a presidential
16 election shall be entitled to equal payment under section
17 9006 in an amount equal to 600 percent of the amount
18 of each matchable contribution received by such candidate
19 or by the candidate’s authorized committees (disregarding
20 any amount of contributions from any person to the extent
21 that the total of the amounts contributed by such person
22 for the election exceeds \$200), except that total amount
23 to which a candidate is entitled under this paragraph shall
24 not exceed \$300,000,000.”.

1 (2) REPEAL OF SEPARATE LIMITATIONS FOR
2 CANDIDATES OF MINOR AND NEW PARTIES; INFLA-
3 TION ADJUSTMENT.—Subsection (b) of section 9004
4 of such Code is amended to read as follows:

5 “(b) INFLATION ADJUSTMENT.—

6 “(1) IN GENERAL.—In the case of any applica-
7 ble period beginning after 2019, the \$300,000,000
8 dollar amount in subsection (a) shall be increased by
9 an amount equal to—

10 “(A) such dollar amount; multiplied by

11 “(B) the cost-of-living adjustment deter-
12 mined under section 1(f)(3) for the calendar
13 year following the year which such applicable
14 period begins, determined by substituting ‘cal-
15 endar year 2018’ for ‘calendar year 1992’ in
16 subparagraph (B) thereof.

17 “(2) APPLICABLE PERIOD.—For purposes of
18 this subsection, the term ‘applicable period’ means
19 the 4-year period beginning with the first day fol-
20 lowing the date of the general election for the office
21 of President and ending on the date of the next such
22 general election.

23 “(3) ROUNDING.—If any amount as adjusted
24 under paragraph (1) is not a multiple of \$10,000,

1 such amount shall be rounded to the nearest mul-
2 tiple of \$10,000.”.

3 (3) CONFORMING AMENDMENT.—Section
4 9005(a) of such Code is amended by adding at the
5 end the following new sentence: “The Commission
6 shall make such additional certifications as may be
7 necessary to receive payments under section 9004.”.

8 (b) MATCHABLE CONTRIBUTION.—Section 9002 of
9 such Code, as amended by section 112, is amended by add-
10 ing at the end the following new paragraph:

11 “(14) MATCHABLE CONTRIBUTION.—The term
12 ‘matchable contribution’ means, with respect to the
13 election to the office of President of the United
14 States, a contribution by an individual to a can-
15 didate or an authorized committee of a candidate
16 with respect to which the candidate has certified in
17 writing that—

18 “(A) the individual making such contribu-
19 tion has not made aggregate contributions (in-
20 cluding such matchable contribution) to such
21 candidate and the authorized committees of
22 such candidate in excess of \$1,000 for the elec-
23 tion;

24 “(B) such candidate and the authorized
25 committees of such candidate will not accept

1 contributions from such individual (including
 2 such matchable contribution) aggregating more
 3 than the amount described in subparagraph (A)
 4 with respect to such election; and

5 “(C) such contribution was not—

6 “(i) forwarded from the contributor
 7 by any person other than an individual, or

8 “(ii) received by the candidate or com-
 9 mittee from a contributor or contributors,
 10 but credited by the committee or candidate
 11 to another person who is not an individual
 12 through records, designations, or other
 13 means of recognizing (whether in writing
 14 or not in writing) that a certain amount of
 15 money has been raised by such person.”.

16 **SEC. 114. INCREASE IN LIMIT ON COORDINATED PARTY EX-**
 17 **PENDITURES.**

18 (a) IN GENERAL.—Section 315(d)(2) of the Federal
 19 Election Campaign Act of 1971 (52 U.S.C. 30116(d)(2))
 20 is amended to read as follows:

21 “(2)(A) The national committee of a political party
 22 may not make any expenditure in connection with the gen-
 23 eral election campaign of any candidate for President of
 24 the United States who is affiliated with such party which
 25 exceeds \$100,000,000.

1 “(B) For purposes of this paragraph—

2 “(i) any expenditure made by or on behalf of a
3 national committee of a political party and in con-
4 nection with a presidential election shall be consid-
5 ered to be made in connection with the general elec-
6 tion campaign of a candidate for President of the
7 United States who is affiliated with such party; and

8 “(ii) any communication made by or on behalf
9 of such party shall be considered to be made in con-
10 nection with the general election campaign of a can-
11 didate for President of the United States who is af-
12 filiated with such party if any portion of the commu-
13 nication is in connection with such election.

14 “(C) Any expenditure under this paragraph shall be
15 in addition to any expenditure by a national committee
16 of a political party serving as the principal campaign com-
17 mittee of a candidate for the office of President of the
18 United States.”.

19 (b) CONFORMING AMENDMENTS RELATING TO TIM-
20 ING OF COST-OF-LIVING ADJUSTMENT.—

21 (1) IN GENERAL.—Section 315(c)(1) of such
22 Act (52 U.S.C. 30116(c)(1)), as amended by section
23 112(d)(1)(B), is amended—

24 (A) in subparagraph (B), by striking “(d)”
25 and inserting “(d)(3)”; and

1 (B) by inserting at the end the following
2 new subparagraph:

3 “(D) In any calendar year after 2017—

4 “(i) the dollar amount in subsection (d)(2) shall
5 be increased by the percent difference determined
6 under subparagraph (A);

7 “(ii) the amount so increased shall remain in
8 effect for the calendar year; and

9 “(iii) if the amount after adjustment under
10 clause (i) is not a multiple of \$100, such amount
11 shall be rounded to the nearest multiple of \$100.”.

12 (2) BASE YEAR.—Section 315(c)(2)(B) of such
13 Act (52 U.S.C. 30116(c)(2)(B)), as amended by sec-
14 tion 112(d)(1)(B), is amended—

15 (A) in clause (i)—

16 (i) by striking “(d)” and inserting
17 “(d)(3)”; and

18 (ii) by striking “and” at the end;

19 (B) in clause (ii), by striking the period at
20 the end and inserting “; and”; and

21 (C) by adding at the end the following new
22 clause:

23 “(iii) for purposes of subsection (d)(2), cal-
24 endar year 2016.”.

1 **SEC. 115. ESTABLISHMENT OF UNIFORM DATE FOR RE-**
2 **LEASE OF PAYMENTS.**

3 (a) DATE FOR PAYMENTS.—

4 (1) IN GENERAL.—Section 9006(b) of the In-
5 ternal Revenue Code of 1986 is amended to read as
6 follows:

7 “(b) PAYMENTS FROM THE FUND.—If the Secretary
8 of the Treasury receives a certification from the Commis-
9 sion under section 9005 for payment to the eligible can-
10 didates of a political party, the Secretary shall pay to such
11 candidates out of the fund the amount certified by the
12 Commission on the later of—

13 “(1) the last Friday occurring before the first
14 Monday in September; or

15 “(2) 24 hours after receiving the certifications
16 for the eligible candidates of all major political par-
17 ties.

18 Amounts paid to any such candidates shall be under the
19 control of such candidates.”.

20 (2) CONFORMING AMENDMENT.—The first sen-
21 tence of section 9006(c) of such Code is amended by
22 striking “the time of a certification by the Commis-
23 sion under section 9005 for payment” and inserting
24 “the time of making a payment under subsection
25 (b)”.

1 (b) TIME FOR CERTIFICATION.—Section 9005(a) of
 2 the Internal Revenue Code of 1986 is amended by striking
 3 “10 days” and inserting “24 hours”.

4 **SEC. 116. AMOUNTS IN PRESIDENTIAL ELECTION CAM-**
 5 **PAIGN FUND.**

6 (a) DETERMINATION OF AMOUNTS IN FUND.—Sec-
 7 tion 9006(c) of the Internal Revenue Code of 1986 is
 8 amended by adding at the end the following new sentence:
 9 “In making a determination of whether there are insuffi-
 10 cient moneys in the fund for purposes of the previous sen-
 11 tence, the Secretary shall take into account in determining
 12 the balance of the fund for a Presidential election year
 13 the Secretary’s best estimate of the amount of moneys
 14 which will be deposited into the fund during the year, ex-
 15 cept that the amount of the estimate may not exceed the
 16 average of the annual amounts deposited in the fund dur-
 17 ing the previous 3 years.”.

18 (b) SPECIAL RULE FOR FIRST CAMPAIGN CYCLE
 19 UNDER THIS ACT.—

20 (1) IN GENERAL.—Section 9006 of the Internal
 21 Revenue Code of 1986 is amended by adding at the
 22 end the following new subsection:

23 “(d) SPECIAL AUTHORITY TO BORROW.—

24 “(1) IN GENERAL.—Notwithstanding subsection
 25 (c), there are authorized to be appropriated to the

1 fund, as repayable advances, such sums as are nec-
2 essary to carry out the purposes of the fund during
3 the period ending on the first presidential election
4 occurring after the date of the enactment of this
5 subsection.

6 “(2) REPAYMENT OF ADVANCES.—

7 “(A) IN GENERAL.—Advances made to the
8 fund shall be repaid, and interest on such ad-
9 vances shall be paid, to the general fund of the
10 Treasury when the Secretary determines that
11 moneys are available for such purposes in the
12 fund.

13 “(B) RATE OF INTEREST.—Interest on ad-
14 vances made to the fund shall be at a rate de-
15 termined by the Secretary of the Treasury (as
16 of the close of the calendar month preceding the
17 month in which the advance is made) to be
18 equal to the current average market yield on
19 outstanding marketable obligations of the
20 United States with remaining periods to matu-
21 rity comparable to the anticipated period during
22 which the advance will be outstanding and shall
23 be compounded annually.”.

24 (2) EFFECTIVE DATE.—The amendment made
25 by this subsection shall take effect January 1, 2018.

1 **SEC. 117. USE OF GENERAL ELECTION PAYMENTS FOR GEN-**
 2 **ERAL ELECTION LEGAL AND ACCOUNTING**
 3 **COMPLIANCE.**

4 Section 9002(11) of the Internal Revenue Code of
 5 1986 is amended by adding at the end the following new
 6 sentence: “For purposes of subparagraph (A), an expense
 7 incurred by a candidate or authorized committee for gen-
 8 eral election legal and accounting compliance purposes
 9 shall be considered to be an expense to further the election
 10 of such candidate.”.

11 **TITLE II—PUBLIC FINANCING**
 12 **FOR CONGRESSIONAL ELEC-**
 13 **TION CAMPAIGNS**

14 **SEC. 201. BENEFITS AND ELIGIBILITY REQUIREMENTS FOR**
 15 **CONGRESSIONAL CANDIDATES.**

16 The Federal Election Campaign Act of 1971 (52
 17 U.S.C. 30101 et seq.) is amended by adding at the end
 18 the following:

19 **“TITLE V—PUBLIC FINANCING**
 20 **OF CONGRESSIONAL ELEC-**
 21 **TION CAMPAIGNS**

22 **“Subtitle A—Benefits**

23 **“SEC. 501. BENEFITS FOR PARTICIPATING CANDIDATES.**

24 **“(a) IN GENERAL.—**If a candidate for election to the
 25 office of Senator or Representative in, or Delegate or Resi-
 26 dent Commissioner to, the Congress is a participating can-

1 didate under this title with respect to an election for such
2 office, the candidate shall be entitled to payments under
3 this title, to be used only for authorized expenditures in
4 connection with the election.

5 “(b) AMOUNT OF PAYMENT.—

6 “(1) MATCH OF QUALIFIED CONTRIBUTIONS.—

7 Subject to paragraph (2), the amount of a payment
8 made to a participating candidate under this title
9 shall be equal to 600 percent of the amount of quali-
10 fied contributions received by the candidate since the
11 most recent payment made to the candidate under
12 this title with respect to the election, as set forth—

13 “(A) in the case of the first payment made
14 to the candidate with respect to the election, in
15 the report filed under section 511(a)(2); and

16 “(B) in the case of any subsequent pay-
17 ment made to the candidate with respect to the
18 election, in the report of qualified contributions
19 filed under subsection (c).

20 “(2) LIMITATION.—In determining the amount
21 of qualified contributions received by a candidate for
22 purposes of making a payment under this section,
23 there shall be disregarded any amount of contribu-
24 tions from any person to the extent that the total of

1 the amounts contributed by such person for the elec-
2 tion exceeds \$200.

3 “(c) REPORTS.—

4 “(1) IN GENERAL.—Each participating candi-
5 date shall file reports of receipts of qualified con-
6 tributions at such times and in such manner as the
7 Commission may by regulations prescribe.

8 “(2) CONTENTS OF REPORTS.—Each report
9 under this subsection shall disclose each qualified
10 contribution received by the candidate since the most
11 recent report filed under this section, and shall state
12 the aggregate amount of all such qualified contribu-
13 tions received since the most recent report filed
14 under this section.

15 “(3) FREQUENCY OF REPORTS.—Reports under
16 this subsection shall be made no more frequently
17 than—

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

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

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

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

6 “(d) LIMIT ON AGGREGATE AMOUNT OF PAY-
7 MENTS.—The aggregate amount of payments that may be
8 made under this title to a participating candidate during
9 an election cycle may not exceed—

10 “(1) \$2,000,000, in the case of a candidate for
11 the office of Representative in, or Delegate or Resi-
12 dent Commissioner to, the Congress; or

13 “(2) \$10,000,000, in the case of a candidate for
14 the office of Senator.

15 “(e) INFLATION ADJUSTMENT.—In each odd-num-
16 bered calendar year after 2018—

17 “(1) each of the dollar amounts under sub-
18 sections (b)(2), (d)(1), and (d)(2) shall be increased
19 by the percent difference determined under section
20 315(c)(1)(A) (determined by substituting ‘calendar
21 year 2017’ for ‘the base period’);

22 “(2) each amount so increased shall remain in
23 effect for the election cycle beginning on the first
24 day following the year in which the amount is in-
25 creased; and

1 “(3) if any amount after adjustment under
2 paragraph (1) is—

3 “(A) in the case of an amount under sub-
4 section (b)(2), not a multiple of \$10, such
5 amount shall be rounded to the nearest multiple
6 of \$10, and

7 “(B) in the case of an amount under sub-
8 section (d), not a multiple of \$1,000, such
9 amount shall be rounded to the nearest multiple
10 of \$1,000.

11 **“SEC. 502. ADMINISTRATION OF PAYMENTS.**

12 “(a) TIMING.—The Commission shall make payments
13 under this title to a participating candidate—

14 “(1) in the case of the first payment made to
15 the candidate with respect to the election, not later
16 than 48 hours after the date on which such can-
17 didate is certified as a participating candidate under
18 section 513; and

19 “(2) in the case of any subsequent payment
20 made to the candidate with respect to the election,
21 not later than 5 business days after the receipt of
22 a report made under section 501(c).

23 “(b) METHOD OF PAYMENT.—The Commission shall
24 distribute funds available to participating candidates

1 under this title through the use of an electronic funds ex-
2 change or a debit card.

3 “(c) APPEALS.—The Commission shall provide a
4 written explanation with respect to any denial of any pay-
5 ment under this title and shall provide for the opportunity
6 for review and reconsideration within 5 business days of
7 such denial.

8 **“SEC. 503. QUALIFIED CONTRIBUTION DEFINED.**

9 “In this title, the term ‘qualified contribution’ means,
10 with respect to a candidate, a contribution that meets each
11 of the following requirements:

12 “(1) The contribution is in an amount that is
13 not greater than the limit on the amount of a con-
14 tribution that may be accepted by a participating
15 candidate from an individual under section 521(a).

16 “(2) The contribution is made by an individual
17 who is not otherwise prohibited from making a con-
18 tribution under this Act.

19 “(3) The contribution is not—

20 “(A) forwarded from the contributor by
21 any person other than an individual; or

22 “(B) received by the candidate or an au-
23 thorized committee of the candidate from a con-
24 tributor or contributors, but credited by the
25 committee or candidate to another person who

1 is not an individual through records, designa-
2 tions, or other means of recognizing (whether in
3 writing or not in writing) that a certain amount
4 of money has been raised by such person.

5 “(4) The contribution meets the requirements
6 of section 512(b).

7 **“Subtitle B—Eligibility and**
8 **Certification**

9 **“SEC. 511. ELIGIBILITY.**

10 “(a) IN GENERAL.—A candidate for the office of
11 Senator or Representative in, or Delegate or Resident
12 Commissioner to, the Congress is eligible to be certified
13 as a participating candidate under this title with respect
14 to an election if the candidate meets the following require-
15 ments:

16 “(1) During the election cycle for the office in-
17 volved, the candidate files with the Commission a
18 statement of intent to seek certification as a partici-
19 pating candidate.

20 “(2) The candidate meets the qualified con-
21 tribution requirements of section 512 and submits to
22 the Commission a report disclosing each qualified
23 contribution received by the candidate and stating
24 the aggregate amount of all such qualified contribu-
25 tions received.

1 “(3) Not later than the last day of the quali-
2 fying period, the candidate files with the Commis-
3 sion an affidavit signed by the candidate and the
4 treasurer of the candidate’s principal campaign com-
5 mittee declaring that the candidate—

6 “(A) has complied and, if certified, will
7 comply with the contribution and expenditure
8 requirements of section 521;

9 “(B) if certified, will run only as a partici-
10 pating candidate for all elections for the office
11 that such candidate is seeking during the elec-
12 tion cycle; and

13 “(C) has either qualified or will take steps
14 to qualify under State law to be on the ballot.

15 “(b) GENERAL ELECTION.—Notwithstanding sub-
16 section (a), a candidate shall not be eligible to receive a
17 payment under this title for a general election or a general
18 runoff election unless the candidate’s party nominated the
19 candidate to be placed on the ballot for the general elec-
20 tion or the candidate is otherwise qualified to be on the
21 ballot under State law.

22 “(c) QUALIFYING PERIOD DEFINED.—The term
23 ‘qualifying period’ means, with respect to any candidate
24 for the office of Senator or Representative in, or Delegate
25 or Resident Commissioner to, the Congress, the 120-day

1 period (during the election cycle for such office) which be-
 2 gins on the date on which the candidate files a statement
 3 of intent under section 511(a)(1), except that such period
 4 may not continue after the date that is 60 days before—

5 “(1) the date of the primary election; or

6 “(2) in the case of a State that does not hold
 7 a primary election, the date prescribed by State law
 8 as the last day to qualify for a position on the gen-
 9 eral election ballot.

10 **“SEC. 512. QUALIFIED CONTRIBUTION REQUIREMENTS.**

11 “(a) RECEIPT OF QUALIFIED CONTRIBUTIONS.—

12 “(1) IN GENERAL.—A candidate meets the re-
 13 quirements of this section if, during the qualifying
 14 period described in section 511(c), the candidate ob-
 15 tains—

16 “(A) a single qualified contribution from a
 17 number of individuals equal to or greater
 18 than—

19 “(i) in the case of a candidate for
 20 election the office of Representative in, or
 21 Delegate or Resident Commissioner to, the
 22 Congress, 400, or

23 “(ii) in the case of a candidate for the
 24 office of Senator, the product of 400 and
 25 the number of Congressional districts in

1 the State involved as of the date of the
2 election; and

3 “(B) a total dollar amount of qualified
4 contributions equal to or greater than—

5 “(i) in the case of a candidate for
6 election the office of Representative in, or
7 Delegate or Resident Commissioner to, the
8 Congress, \$40,000, disregarding any
9 amount of contributions from any person
10 to the extent that the total of the amounts
11 contributed by such person for the election
12 exceeds \$200, or

13 “(ii) in the case of a candidate for the
14 office of Senator, the product of \$40,000
15 and the number of Congressional districts
16 in the State involved as of the date of the
17 election, disregarding any amount of con-
18 tributions from any person to the extent
19 that the total of the amounts contributed
20 by such person for the election exceeds
21 \$200.

22 “(2) EXCLUSION OF CONTRIBUTIONS FROM
23 OUT-OF-STATE RESIDENTS.—In determining the
24 number of qualified contributions obtained by a can-
25 didate under paragraph (1)(A) and the dollar

1 amount of qualified contributions obtained by a can-
2 didate under paragraph (1)(B), there shall be ex-
3 cluded any contributions made by an individual who
4 does not have a primary residence in the State in
5 which such candidate is seeking election.

6 “(b) REQUIREMENTS RELATING TO RECEIPT OF
7 QUALIFIED CONTRIBUTION.—Each qualified contribu-
8 tion—

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

12 “(2) shall be accompanied by a signed state-
13 ment containing the contributor’s name and the con-
14 tributor’s address in the State in which the primary
15 residence of the contributor is located; and

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

22 “(c) PROHIBITING PAYMENT ON COMMISSION BASIS
23 OF INDIVIDUALS COLLECTING QUALIFIED CONTRIBU-
24 TIONS.—No person may be paid a commission on a per

1 qualified contribution basis for collecting qualified con-
2 tributions.

3 **“SEC. 513. CERTIFICATION.**

4 “(a) DEADLINE AND NOTIFICATION.—

5 “(1) IN GENERAL.—Not later than 10 days
6 after a candidate files an affidavit under section
7 511(a)(3), the Commission shall—

8 “(A) determine whether or not the can-
9 didate meets the requirements for certification
10 as a participating candidate;

11 “(B) if the Commission determines that
12 the candidate meets such requirements, certify
13 the candidate as a participating candidate; and

14 “(C) notify the candidate of the Commis-
15 sion’s determination.

16 “(2) DEEMED CERTIFICATION FOR ALL ELEC-
17 TIONS IN ELECTION CYCLE.—If the Commission cer-
18 tifies a candidate as a participating candidate with
19 respect to the first election of the election cycle in-
20 volved, the Commissioner shall be deemed to have
21 certified the candidate as a participating candidate
22 with respect to all subsequent elections of the elec-
23 tion cycle.

24 “(b) REVOCATION OF CERTIFICATION.—

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

3 “(A) a candidate fails to qualify to appear
4 on the ballot at any time after the date of cer-
5 tification (other than a candidate certified as a
6 participating candidate with respect to a pri-
7 mary election who fails to qualify to appear on
8 the ballot for a subsequent election in that elec-
9 tion cycle); or

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

14 “(2) REPAYMENT OF BENEFITS.—If certifi-
15 cation is revoked under paragraph (1), the candidate
16 shall repay to the Empowering Citizens Payment Ac-
17 count of the Presidential Election Campaign Fund
18 (established under section 9051 of the Internal Rev-
19 enue Code of 1986) an amount equal to the value
20 of benefits received under this title with respect to
21 the election cycle involved plus interest (at a rate de-
22 termined by the Commission) on any such amount
23 received.

24 “(c) PARTICIPATING CANDIDATE DEFINED.—In this
25 title, a ‘participating candidate’ means a candidate for the

1 office of Senator or Representative in, or Delegate or Resi-
 2 dent Commissioner to, the Congress who is certified under
 3 this section as eligible to receive benefits under this title.

4 **“Subtitle C—Requirements for Can-**
 5 **didates Certified as Partici-**
 6 **pating Candidates**

7 **“SEC. 521. RESTRICTIONS ON CERTAIN CONTRIBUTIONS**
 8 **AND EXPENDITURES.**

9 “(a) REDUCTION IN OTHERWISE APPLICABLE CON-
 10 TRIBUTION LIMITS.—

11 “(1) IN GENERAL.—In the case of a candidate
 12 who is certified as a participating candidate under
 13 this title with respect to an election, each limit appli-
 14 cable under paragraph (1)(A) and paragraph (2)(A)
 15 of section 315(a) to the amount of a contribution
 16 which may be made to the candidate and any au-
 17 thorized committee of the candidate with respect to
 18 the election shall be equal to \$1,000 for the election.

19 “(2) INFLATION ADJUSTMENT.—In each odd-
 20 numbered calendar year after 2018—

21 “(A) the \$1,000 amount under paragraph
 22 (1) shall be increased by the percent difference
 23 determined under section 315(e)(1)(A) (deter-
 24 mined by substituting ‘calendar year 2017’ for
 25 ‘the base period’);

1 “(B) the amount so increased shall remain
2 in effect for the election cycle beginning on the
3 first day following the year in which the amount
4 is increased; and

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

9 “(b) PROHIBITING ACCEPTANCE OF CONTRIBUTIONS
10 BUNDLED BY REGISTERED LOBBYISTS.—A candidate
11 who is certified as a participating candidate under this
12 title with respect to an election, and any authorized com-
13 mittee of such a candidate, may not accept any contribu-
14 tion with respect to the election which is a bundled con-
15 tribution (as defined in section 304(i)(8)) forwarded by
16 or credited to a person described in section 304(i)(7).

17 “(c) LIMIT ON EXPENDITURES FROM PERSONAL
18 FUNDS.—A candidate who is certified as a participating
19 candidate under this title may not make expenditures from
20 personal funds (as defined in section 304(a)(6)(B)) in an
21 aggregate amount exceeding \$50,000 with respect to any
22 election in the election cycle involved.

23 “(d) PROHIBITING SOLICITATION OF FUNDS FOR PO-
24 LITICAL PARTY COMMITTEES.—A candidate who is cer-
25 tified as a participating candidate under this title may not

1 solicit funds for any political committee of a political
2 party, except that the candidate may solicit funds for a
3 separate account of the committee which is established
4 under section 315(d)(5).

5 **“SEC. 522. REMITTING UNSPENT FUNDS AFTER ELECTION.**

6 “(a) IN GENERAL.—Not later than the date that is
7 60 days after the last election for which a candidate cer-
8 tified as a participating candidate qualifies to be on the
9 ballot during the election cycle involved, such participating
10 candidate shall remit to the Commission for deposit in the
11 Empowering Citizens Payment Account of the Presi-
12 dential Election Campaign Fund (established under sec-
13 tion 9051 of the Internal Revenue Code of 1986) an
14 amount equal to the lesser of—

15 “(1) the amount of money in the candidate’s
16 campaign account; or

17 “(2) the amount of the payments received by
18 the candidate under this title.

19 “(b) EXCEPTION FOR EXPENDITURES INCURRED
20 BUT NOT PAID AS OF DATE OF REMITTANCE.—

21 “(1) IN GENERAL.—Subject to subsection (a), a
22 candidate may withhold from the amount required to
23 be remitted under paragraph (1) of such subsection
24 the amount of any authorized expenditures which
25 were incurred in connection with the candidate’s

1 campaign but which remain unpaid as of the dead-
 2 line applicable to the candidate under such sub-
 3 section, except that any amount withheld pursuant
 4 to this paragraph shall be remitted to the Commis-
 5 sion not later than 120 days after the date of the
 6 election to which such subsection applies.

7 “(2) DOCUMENTATION REQUIRED.—A can-
 8 didate may withhold an amount of an expenditure
 9 pursuant to paragraph (1) only if the candidate sub-
 10 mits documentation of the expenditure and the
 11 amount to the Commission not later than the dead-
 12 line applicable to the candidate under subsection (a).

13 **“Subtitle D—Administrative**
 14 **Provisions**

15 **“SEC. 531. ADMINISTRATION BY COMMISSION.**

16 “The Commission shall prescribe regulations to carry
 17 out the purposes of this title, including regulations to es-
 18 tablish procedures for—

19 “(1) verifying the amount of qualified contribu-
 20 tions with respect to a candidate;

21 “(2) effectively and efficiently monitoring and
 22 enforcing the limits on the raising of qualified con-
 23 tributions;

1 “(3) effectively and efficiently monitoring and
2 enforcing the limits on the use of personal funds by
3 participating candidates; and

4 “(4) monitoring the use of payments under this
5 title through audits of not fewer than $\frac{1}{3}$ of all par-
6 ticipating candidates or other mechanisms.

7 **“SEC. 532. VIOLATIONS AND PENALTIES.**

8 “(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBU-
9 TION AND EXPENDITURE REQUIREMENTS.—If a can-
10 didate who has been certified as a participating candidate
11 accepts a contribution or makes an expenditure that is
12 prohibited under section 521, the Commission shall assess
13 a civil penalty against the candidate in an amount that
14 is not more than 3 times the amount of the contribution
15 or expenditure. Any amounts collected under this sub-
16 section shall be deposited into the Empowering Citizens
17 Payment Account of the Presidential Election Campaign
18 Fund (established under section 9051 of the Internal Rev-
19 enue Code of 1986).

20 “(b) REPAYMENT FOR IMPROPER USE OF EMPOW-
21 ERING CITIZENS PAYMENT ACCOUNT.—

22 “(1) IN GENERAL.—If the Commission deter-
23 mines that any benefit made available to a partici-
24 pating candidate was not used as provided for in
25 this title or that a participating candidate has vio-

1 lated any of the dates for remission of funds con-
2 tained in this title, the Commission shall so notify
3 the candidate and the candidate shall pay to the
4 Empowering Citizens Payment Account of the Presi-
5 dential Election Campaign Fund an amount equal
6 to—

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

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

11 “(2) OTHER ACTION NOT PRECLUDED.—Any
12 action by the Commission in accordance with this
13 subsection shall not preclude enforcement pro-
14 ceedings by the Commission in accordance with sec-
15 tion 309(a), including a referral by the Commission
16 to the Attorney General in the case of an apparent
17 knowing and willful violation of this title.

18 **“SEC. 533. ELECTION CYCLE DEFINED.**

19 “In this title, the term ‘election cycle’ means, with
20 respect to an election for the office of Senator or Rep-
21 resentative in, or Delegate or Resident Commissioner to,
22 the Congress, the period beginning on the day after the
23 date of the most recent general election for that office (or,
24 if the general election resulted in a runoff election, the
25 date of the runoff election) and ending on the date of the

1 next general election for that office (or, if the general elec-
2 tion resulted in a runoff election, the date of the runoff
3 election).”.

4 **SEC. 202. PERMITTING UNLIMITED COORDINATED EXPEND-**
5 **ITURES BY POLITICAL PARTY COMMITTEES**
6 **ON BEHALF OF PARTICIPATING CANDIDATES**
7 **IF EXPENDITURES ARE DERIVED FROM**
8 **SMALL DOLLAR CONTRIBUTIONS.**

9 Section 315(d) of the Federal Election Campaign Act
10 of 1971 (52 U.S.C. 30116(d)), as amended by section
11 101(b) of Division N of the Consolidated and Further
12 Continuing Appropriations Act, 2015 (Public Law 113–
13 235; 128 Stat. 2773), is amended by adding at the end
14 the following new paragraph:

15 “(6) In determining the amount of expenditures
16 made by a committee under paragraph (3) in connection
17 with the campaign of a candidate who is certified as a
18 participating candidate under title V, there shall be ex-
19 cluded any expenditures which are derived from a separate
20 account established by the committee for which the only
21 sources of funds are contributions made during the elec-
22 tion cycle in an amount which does not exceed \$1,000 per
23 contributor.”.

1 **SEC. 203. PROHIBITING USE OF CONTRIBUTIONS BY PAR-**
 2 **TICIPATING CANDIDATES FOR PURPOSES**
 3 **OTHER THAN CAMPAIGN FOR ELECTION.**

4 Section 313 of the Federal Election Campaign Act
 5 of 1971 (52 U.S.C. 30114) is amended by adding at the
 6 end the following new subsection:

7 “(d) RESTRICTIONS ON PERMITTED USES OF FUNDS
 8 BY CANDIDATES RECEIVING MATCHING PUBLIC
 9 FUNDS.—Notwithstanding paragraph (2), (3), or (4) of
 10 subsection (a), if a candidate for election for the office
 11 of Senator or Representative in, or Delegate or Resident
 12 Commissioner to, the Congress is certified as a partici-
 13 pating candidate under title V with respect to the election,
 14 any contribution which the candidate is permitted to ac-
 15 cept under such title may be used only for authorized ex-
 16 penditures in connection with the candidate’s campaign
 17 for such office.”.

18 **TITLE III—COORDINATED**
 19 **CAMPAIGN ACTIVITY**

20 **SEC. 301. CLARIFICATION OF TREATMENT OF COORDI-**
 21 **NATED EXPENDITURES AS CONTRIBUTIONS**
 22 **TO CANDIDATES.**

23 (a) TREATMENT AS CONTRIBUTION TO CAN-
 24 DIDATE.—Section 301(8)(A) of the Federal Election Cam-
 25 paign Act of 1971 (52 U.S.C. 30101(8)(A)) is amended—
 26 (1) by striking “or” at the end of clause (i);

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

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

5 “(iii) any payment made by any person
6 (other than a candidate, an authorized com-
7 mittee of a candidate, or a political committee
8 of a political party) for a coordinated expendi-
9 ture (as such term is defined in section 324)
10 which is not otherwise treated as a contribution
11 under clause (i) or clause (ii).”.

12 (b) DEFINITIONS.—Section 324 of such Act (52
13 U.S.C. 30126) is amended to read as follows:

14 **“SEC. 324. PAYMENTS FOR COORDINATED EXPENDITURES.**

15 “(a) COORDINATED EXPENDITURES.—

16 “(1) IN GENERAL.—For purposes of section
17 301(8)(A)(iii), the term ‘coordinated expenditure’
18 means—

19 “(A) any expenditure, or any payment for
20 a covered communication described in sub-
21 section (d), which is made in cooperation, con-
22 sultation, or concert with, or at the request or
23 suggestion of, a candidate, an authorized com-
24 mittee of a candidate, a political committee of

1 a political party, or agents of the candidate or
2 committee, as defined in subsection (b); or

3 “(B) any payment for any communication
4 which republishes, disseminates, or distributes,
5 in whole or in part, any video or broadcast or
6 any written, graphic, or other form of campaign
7 material prepared by the candidate or com-
8 mittee or by agents of the candidate or com-
9 mittee (including any excerpt or use of any
10 video from any such broadcast or written,
11 graphic, or other form of campaign material).

12 “(2) EXCEPTION FOR PAYMENTS FOR CERTAIN
13 COMMUNICATIONS.—A payment for a communication
14 (including a covered communication described in
15 subsection (d)) shall not be treated as a coordinated
16 expenditure under this subsection if—

17 “(A) the communication appears in a news
18 story, commentary, or editorial distributed
19 through the facilities of any broadcasting sta-
20 tion, newspaper, magazine, or other periodical
21 publication, unless such facilities are owned or
22 controlled by any political party, political com-
23 mittee, or candidate; or

24 “(B) the communication constitutes a can-
25 didate debate or forum conducted pursuant to

1 regulations adopted by the Commission pursu-
2 ant to section 304(f)(3)(B)(iii), or which solely
3 promotes such a debate or forum and is made
4 by or on behalf of the person sponsoring the de-
5 bate or forum.

6 “(b) COORDINATION DESCRIBED.—

7 “(1) IN GENERAL.—For purposes of this sec-
8 tion, a payment is made ‘in cooperation, consulta-
9 tion, or concert with, or at the request or suggestion
10 of,’ a candidate, an authorized committee of a can-
11 didate, a political committee of a political party, or
12 agents of the candidate or committee, if the pay-
13 ment, or any communication for which the payment
14 is made, is not made entirely independently of the
15 candidate, committee, or agents. For purposes of the
16 previous sentence, a payment or communication not
17 made entirely independently of the candidate or
18 committee includes any payment or communication
19 made pursuant to any general or particular under-
20 standing with, or pursuant to any communication
21 with, the candidate, committee, or agents about the
22 payment or communication.

23 “(2) NO FINDING OF COORDINATION BASED
24 SOLELY ON SHARING OF INFORMATION REGARDING
25 LEGISLATIVE OR POLICY POSITION.—For purposes

1 of this section, a payment shall not be considered to
2 be made by a person in cooperation, consultation, or
3 concert with, or at the request or suggestion of, a
4 candidate or committee, solely on the grounds that
5 the person or the person's agent engaged in discus-
6 sions with the candidate or committee, or with any
7 agent of the candidate or committee, regarding that
8 person's position on a legislative or policy matter
9 (including urging the candidate or committee to
10 adopt that person's position), so long as there is no
11 communication between the person and the can-
12 didate or committee, or any agent of the candidate
13 or committee, regarding the candidate's or commit-
14 tee's campaign advertising, message, strategy, pol-
15 icy, polling, allocation of resources, fundraising, or
16 other campaign activities.

17 “(3) NO EFFECT ON PARTY COORDINATION
18 STANDARD.—Nothing in this section shall be con-
19 strued to affect the determination of coordination
20 between a candidate and a political committee of a
21 political party for purposes of section 315(d).

22 “(4) NO SAFE HARBOR FOR USE OF FIRE-
23 WALL.—A person shall be determined to have made
24 a payment in cooperation, consultation, or concert
25 with, or at the request or suggestion of, a candidate

1 or committee, in accordance with this section with-
2 out regard to whether or not the person established
3 and used a firewall or similar procedures to restrict
4 the sharing of information between individuals who
5 are employed by or who are serving as agents for the
6 person making the payment.

7 “(c) PAYMENTS BY COORDINATED SPENDERS FOR
8 COVERED COMMUNICATIONS.—

9 “(1) PAYMENTS MADE IN COOPERATION, CON-
10 SULTATION, OR CONCERT WITH CANDIDATES.—For
11 purposes of subsection (a)(1)(A), if the person who
12 makes a payment for a covered communication, as
13 defined in subsection (d), is a coordinated spender
14 under paragraph (2) with respect to the candidate
15 as described in subsection (d)(1), the payment for
16 the covered communication is made in cooperation,
17 consultation, or concert with the candidate.

18 “(2) COORDINATED SPENDER DEFINED.—For
19 purposes of this subsection, the term ‘coordinated
20 spender’ means, with respect to a candidate or an
21 authorized committee of a candidate, a person (other
22 than a political committee of a political party) for
23 which any of the following applies:

24 “(A) During the 4-year period ending on
25 the date on which the person makes the pay-

1 ment, the person was directly or indirectly
2 formed or established by or at the request or
3 suggestion of, or with the encouragement of,
4 the candidate (including an individual who later
5 becomes a candidate) or committee or agents of
6 the candidate or committee, including with the
7 approval of the candidate or committee or
8 agents of the candidate or committee.

9 “(B) The candidate or committee or any
10 agent of the candidate or committee solicits
11 funds, appears at a fundraising event, or en-
12 gages in other fundraising activity on the per-
13 son’s behalf during the election cycle involved,
14 including by providing the person with names of
15 potential donors or other lists to be used by the
16 person in engaging in fundraising activity, re-
17 gardless of whether the person pays fair market
18 value for the names or lists provided. For pur-
19 poses of this subparagraph, the term ‘election
20 cycle’ means, with respect to an election for
21 Federal office, the period beginning on the day
22 after the date of the most recent general elec-
23 tion for that office (or, if the general election
24 resulted in a runoff election, the date of the
25 runoff election) and ending on the date of the

1 next general election for that office (or, if the
2 general election resulted in a runoff election,
3 the date of the runoff election).

4 “(C) The person is established, directed, or
5 managed by the candidate or committee or by
6 any person who, during the 4-year period end-
7 ing on the date on which the person makes the
8 payment, has been employed or retained as a
9 political, campaign media, or fundraising ad-
10 viser or consultant for the candidate or com-
11 mittee or for any other entity directly or indi-
12 rectly controlled by the candidate or committee,
13 or has held a formal position with the candidate
14 or committee.

15 “(D) The person has retained the profes-
16 sional services of any person who, during the 2-
17 year period ending on the date on which the
18 person makes the payment, has provided or is
19 providing professional services relating to the
20 campaign to the candidate or committee, with-
21 out regard to whether the person providing the
22 professional services used a firewall. For pur-
23 poses of this subparagraph, the term ‘profes-
24 sional services’ includes any services in support
25 of the candidate’s or committee’s campaign ac-

1 activities, including advertising, message, strat-
2 egy, policy, polling, allocation of resources,
3 fundraising, and campaign operations, but does
4 not include accounting or legal services.

5 “(E) The person is established, directed, or
6 managed by a member of the immediate family
7 of the candidate, or the person or any officer or
8 agent of the person has had more than inci-
9 dental discussions about the candidate’s cam-
10 paign with a member of the immediate family
11 of the candidate. For purposes of this subpara-
12 graph, the term ‘immediate family’ has the
13 meaning given such term in section 9004(e) of
14 the Internal Revenue Code of 1986.

15 “(d) COVERED COMMUNICATION DEFINED.—

16 “(1) IN GENERAL.—For purposes of this sec-
17 tion, the term ‘covered communication’ means, with
18 respect to a candidate or an authorized committee of
19 a candidate, a public communication (as defined in
20 section 301(22)) which—

21 “(A) expressly advocates the election of the
22 candidate or the defeat of an opponent of the
23 candidate (or contains the functional equivalent
24 of express advocacy);

1 “(B) promotes or supports the candidate,
2 or attacks or opposes an opponent of the can-
3 didate (regardless of whether the communica-
4 tion expressly advocates the election or defeat
5 of a candidate or contains the functional equiv-
6 alent of express advocaey); or

7 “(C) refers to the candidate or an oppo-
8 nent of the candidate but is not described in
9 subparagraph (A) or subparagraph (B), but
10 only if the communication is disseminated dur-
11 ing the applicable election period.

12 “(2) APPLICABLE ELECTION PERIOD.—In para-
13 graph (1)(C), the ‘applicable election period’ with re-
14 spect to a communication means—

15 “(A) in the case of a communication which
16 refers to a candidate in a general, special, or
17 runoff election, the 120-day period which ends
18 on the date of the election; or

19 “(B) in the case of a communication which
20 refers to a candidate in a primary or preference
21 election, or convention or caucus of a political
22 party that has authority to nominate a can-
23 didate, the 60-day period which ends on the
24 date of the election or convention or caucus.

1 “(3) SPECIAL RULES FOR COMMUNICATIONS IN-
2 VOLVING CONGRESSIONAL CANDIDATES.—For pur-
3 poses of this subsection, a public communication
4 shall not be considered to be a covered communica-
5 tion with respect to a candidate for election for an
6 office other than the office of President or Vice
7 President unless it is publicly disseminated or dis-
8 tributed in the jurisdiction of the office the can-
9 didate is seeking.

10 “(e) PENALTY.—

11 “(1) DETERMINATION OF AMOUNT.—Any per-
12 son who knowingly and willfully commits a violation
13 of this Act by making a contribution which consists
14 of a payment for a coordinated expenditure shall be
15 fined an amount equal to the greater of—

16 “(A) in the case of a person who makes a
17 contribution which consists of a payment for a
18 coordinated expenditure in an amount exceeding
19 the applicable contribution limit under this Act,
20 300 percent of the amount by which the
21 amount of the payment made by the person ex-
22 ceeds such applicable contribution limit; or

23 “(B) in the case of a person who is prohib-
24 ited under this Act from making a contribution
25 in any amount, 300 percent of the amount of

1 the payment made by the person for the coordi-
2 nated expenditure.

3 “(2) JOINT AND SEVERAL LIABILITY.—Any di-
4 rector, manager or officer of a person who is subject
5 to a penalty under paragraph (1) shall be jointly and
6 severally liable for any amount of such penalty that
7 is not paid by the person prior to the expiration of
8 the 1-year period which begins on the date the Com-
9 mission imposes the penalty or the 1-year period
10 which begins on the date of the final judgment fol-
11 lowing any judicial review of the Commission’s ac-
12 tion, whichever is later.”.

13 (c) EFFECTIVE DATE.—

14 (1) REPEAL OF EXISTING REGULATIONS ON CO-
15 ORDINATION.—Effective upon the expiration of the
16 90-day period which begins on the date of the enact-
17 ment of this Act—

18 (A) the regulations on coordinated commu-
19 nications adopted by the Federal Election Com-
20 mission which are in effect on the date of the
21 enactment of this Act (as set forth in 11 C.F.R.
22 part 109, subpart C, under the heading “Co-
23 ordination”) are repealed; and

24 (B) the Federal Election Commission shall
25 promulgate new regulations on coordinated

1 communications which reflect the amendments
2 made by this Act.

3 (2) **EFFECTIVE DATE.**—The amendments made
4 by this section shall apply with respect to payments
5 made on or after the expiration of the 120-day pe-
6 riod which begins on the date of the enactment of
7 this Act, without regard to whether or not the Fed-
8 eral Election Commission has promulgated regula-
9 tions in accordance with paragraph (1)(B) as of the
10 expiration of such period.

11 **SEC. 302. CLARIFICATION OF BAN ON FUNDRAISING FOR**
12 **SUPER PACS BY FEDERAL CANDIDATES AND**
13 **OFFICEHOLDERS.**

14 (a) **IN GENERAL.**—Section 323(e)(1) of the Federal
15 Election Campaign Act of 1971 (52 U.S.C. 30125(e)(1))
16 is amended—

17 (1) by striking “or” at the end of subparagraph
18 (A);

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

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(C) solicit, receive, direct, or transfer
24 funds to or on behalf of any political committee
25 which accepts donations or contributions that

1 do not comply with the limitations, prohibitions,
2 and reporting requirements of this Act (or to or
3 on behalf of any account of a political com-
4 mittee which is established for the purpose of
5 accepting such donations or contributions), or
6 to or on behalf of any political organization
7 under section 527 of the Internal Revenue Code
8 of 1986 which accepts such donations or con-
9 tributions (other than a committee of a State or
10 local political party or a candidate for election
11 for State or local office).”.

12 (b) DEFINITION OF SOLICITATION.—Section 323(e)
13 of such Act (53 U.S.C. 30125(e)) is amended by adding
14 at the end the following new paragraph:

15 “(5) SOLICITATION.—For purposes of para-
16 graph (1), a solicitation includes attending, speak-
17 ing, or being a featured guest at any fundraising
18 event of a political committee or a political organiza-
19 tion (as defined by section 527(e)(1) of the Internal
20 Revenue Code of 1986).”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall apply with respect to elections occurring
23 after January 1, 2018.

1 **TITLE IV—USE OF PRESI-**
 2 **DENTIAL ELECTION CAM-**
 3 **PAIGN FUND FOR PUBLIC FI-**
 4 **NANCING OF FEDERAL ELEC-**
 5 **TIONS**

6 **SEC. 401. USE OF PRESIDENTIAL ELECTION CAMPAIGN**
 7 **FUND FOR CONGRESSIONAL CANDIDATES.**

8 Subtitle H of the Internal Revenue Code of 1986 is
 9 amended by adding at the end the following new chapter:

10 **“CHAPTER 97—EMPOWERING CITIZENS**
 11 **PAYMENT ACCOUNT**

“Sec. 9051. Payments to Congressional candidates.

12 **“SEC. 9051. PAYMENTS TO CONGRESSIONAL CANDIDATES.**

13 “(a) ESTABLISHMENT OF ACCOUNT.—The Secretary
 14 shall maintain in the Presidential Election Campaign
 15 Fund established by section 9006(a), in addition to any
 16 account which he maintains under such section, a separate
 17 account to be known as the Empowering Citizens Payment
 18 Account (hereinafter in this section referred to as the ‘Ac-
 19 count’).

20 “(b) AMOUNTS TRANSFERRED TO ACCOUNT.—

21 “(1) IN GENERAL.—The Secretary shall deposit
 22 into the Account the excess of—

1 “(A) the balance of the Federal Election
2 Campaign Fund (determined without regard to
3 the Account), over

4 “(B) the amount determined by the Sec-
5 retary to be required for payments under sec-
6 tion 9006(c) and for payments under section
7 9037(b).

8 “(2) SUPPLEMENTAL TRANSFERS.—There are
9 hereby appropriated to the Account an amount equal
10 to the excess (if any) of—

11 “(A) the amount required to provide pay-
12 ments to candidates for election to the office of
13 Senator or Representative in, or Delegate or
14 Resident Commissioner to, the Congress who
15 are participating candidates under title V of the
16 Federal Election Campaign Act of 1971, over

17 “(B) the amounts transferred to such Ac-
18 count under paragraph (1).

19 “(c) USE OF ACCOUNT FOR PAYMENTS TO CONGRES-
20 SIONAL CANDIDATES PARTICIPATING IN PUBLIC FINANC-
21 ING PROGRAM.—The Secretary shall transfer amounts in
22 the Account to the Federal Election Commission, at such
23 times and in such amounts as the Federal Election Com-
24 mission may certify, for payments to candidates for elec-
25 tion to the office of Senator or Representative in, or Dele-

1 gate or Resident Commissioner to, the Congress who are
2 participating candidates under title V of the Federal Elec-
3 tion Campaign Act of 1971.”.

4 **SEC. 402. REVISIONS TO DESIGNATION OF INCOME TAX**
5 **PAYMENTS BY INDIVIDUAL TAXPAYERS.**

6 (a) INCREASE IN AMOUNT DESIGNATED.—Section
7 6096(a) of the Internal Revenue Code of 1986 is amend-
8 ed—

9 (1) in the first sentence, by striking “\$3” each
10 place it appears and inserting “\$20”; and

11 (2) in the second sentence—

12 (A) by striking “\$6” and inserting “\$40”;

13 and

14 (B) by striking “\$3” and inserting “\$20”.

15 (b) INDEXING.—Section 6096 of such Code is amend-
16 ed by adding at the end the following new subsection:

17 “(d) INDEXING OF AMOUNT DESIGNATED.—

18 “(1) IN GENERAL.—With respect to each tax-
19 able year after 2017, each amount referred to in
20 subsection (a) shall be increased by the percent dif-
21 ference described in paragraph (2), except that if
22 any such amount after such an increase is not a
23 multiple of \$1, such amount shall be rounded to the
24 nearest multiple of \$1.

1 “(2) PERCENT DIFFERENCE DESCRIBED.—The
2 percent difference described in this paragraph with
3 respect to a taxable year is the percent difference
4 determined under section 315(e)(1)(A) of the Fed-
5 eral Election Campaign Act of 1971 with respect to
6 the calendar year during which the taxable year be-
7 gins, except that the base year involved shall be
8 2016.”.

9 (c) ENSURING TAX PREPARATION SOFTWARE DOES
10 NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION
11 QUESTION.—Section 6096 of such Code, as amended by
12 subsection (b), is amended by adding at the end the fol-
13 lowing new subsection:

14 “(e) ENSURING TAX PREPARATION SOFTWARE DOES
15 NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION
16 QUESTION.—The Secretary shall promulgate regulations
17 to ensure that electronic software used in the preparation
18 or filing of individual income tax returns does not auto-
19 matically accept or decline a designation of a payment
20 under this section.”.

21 (d) PUBLIC INFORMATION PROGRAM ON DESIGNA-
22 TION.—Section 6096 of such Code, as amended by sub-
23 sections (b) and (c), is amended by adding at the end the
24 following new subsection:

25 “(f) PUBLIC INFORMATION PROGRAM.—

1 “(1) IN GENERAL.—The Federal Election Com-
2 mission shall conduct a program to inform and edu-
3 cate the public regarding the purposes of the Presi-
4 dential Election Campaign Fund, the procedures for
5 the designation of payments under this section, and
6 the effect of such a designation on the income tax
7 liability of taxpayers.

8 “(2) USE OF FUNDS FOR PROGRAM.—Amounts
9 in the Presidential Election Campaign Fund shall be
10 made available to the Federal Election Commission
11 to carry out the program under this subsection.”.

12 (e) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect January 1, 2017.

14 **SEC. 403. DONATION TO PRESIDENTIAL ELECTION CAM-**
15 **PAIGN FUND.**

16 (a) GENERAL RULE.—Every taxpayer who makes a
17 return of the tax imposed by subtitle A of the Internal
18 Revenue Code of 1986 for any taxable year ending after
19 December 31, 2016, may donate an amount (not less than
20 \$1), in addition to any designation of income tax liability
21 under section 6096 of such Code for such taxable year,
22 which shall be deposited in the general fund of the Treas-
23 ury.

24 (b) MANNER AND TIME OF DESIGNATION.—Any do-
25 nation under subsection (a) for any taxable year—

1 (1) shall be made at the time of filing the re-
2 turn of the tax imposed by subtitle A of such Code
3 for such taxable year and in such manner as the
4 Secretary may by regulation prescribe, except that—

5 (A) the designation for such donation shall
6 be either on the first page of the return or on
7 the page bearing the taxpayer’s signature, and

8 (B) the designation shall be by a box
9 added to the return, and the text beside the box
10 shall provide:

11 “By checking here, I signify that in
12 addition to my tax liability (if any), I
13 would like to donate the included payment
14 to be used exclusively as a contribution to
15 the Presidential Election Campaign
16 Fund.”, and

17 (2) shall be accompanied by a payment of the
18 amount so designated.

19 (c) TRANSFERS TO PRESIDENTIAL ELECTION CAM-
20 PAIGN FUND.—The Secretary shall, from time to time,
21 transfer to the Presidential Election Campaign Fund es-
22 tablished under section 9006(a) of such Code amounts
23 equal to the amounts donated under this section.

1 **TITLE V—OTHER CAMPAIGN**
2 **FINANCE REFORMS**

3 **SEC. 501. REGULATIONS WITH RESPECT TO BEST EFFORTS**
4 **FOR IDENTIFYING PERSONS MAKING CON-**
5 **TRIBUTIONS.**

6 Not later than 6 months after the date of enactment
7 of this Act, the Federal Election Commission shall pro-
8 mulgate regulations with respect to what constitutes best
9 efforts under section 302(i) of the Federal Election Cam-
10 paign Act of 1971 (52 U.S.C. 30102(i)) for determining
11 the identification of persons making contributions to polit-
12 ical committees, including the identifications of persons
13 making contributions over the Internet or by credit card.
14 Such regulations shall include a requirement that in the
15 case of contributions made by a credit card, the political
16 committee shall ensure that the name on the credit card
17 used to make the contribution matches the name of the
18 person making the contribution.

19 **SEC. 502. RULES RELATING TO JOINT FUNDRAISING COM-**
20 **MITTEES.**

21 (a) PROHIBITION ON JOINT FUNDRAISING COMMIT-
22 TEES FOR CANDIDATES.—

23 (1) IN GENERAL.—Section 302(e) of the Fed-
24 eral Election Campaign Act of 1971 (52 U.S.C.

1 30102(e)) is amended by adding at the end the fol-
 2 lowing new paragraph:

3 “(6) No authorized committee of a candidate may es-
 4 tablish, participate in, or have any involvement with any
 5 joint fundraising committee.”.

6 (2) CONFORMING AMENDMENT.—Section
 7 302(e)(3)(A) of such Act (52 U.S.C. 30102(e)(3)) is
 8 amended—

9 (A) by striking “except that” and all that
 10 follows through “the candidate” and inserting
 11 “except that the candidate”,

12 (B) by striking “; and” and inserting a pe-
 13 riod, and

14 (C) by striking clause (ii).

15 (b) LIMITATION ON JOINT FUNDRAISING COMMIT-
 16 TEES FOR PARTY COMMITTEES.—Section 302 of the Fed-
 17 eral Election Campaign Act of 1971 (52 U.S.C. 30102)
 18 is amended by adding at the end the following new sub-
 19 section:

20 “(j) PARTICIPATION OF PARTY COMMITTEES IN
 21 JOINT FUNDRAISING COMMITTEES.—No committee of a
 22 political party may establish, participate in, or have any
 23 involvement with any joint fundraising committee other
 24 than a joint fundraising committee that consists of the

1 national committee of a political party and one other com-
 2 mittee of the political party.”.

3 (c) EFFECTIVE DATE.—The amendments made by
 4 this section shall take effect on January 1, 2018.

5 **SEC. 503. DISCLOSURE OF BUNDLED CONTRIBUTIONS TO**
 6 **PRESIDENTIAL CAMPAIGNS; INCREASE IN**
 7 **THRESHOLD FOR BUNDLED CONTRIBUTIONS**
 8 **BY LOBBYISTS.**

9 (a) IN GENERAL.—Paragraphs (1) through (3) of
 10 section 304(i) of the Federal Election Campaign Act of
 11 1971 (52 U.S.C. 30104(i)) are amended to read as fol-
 12 lows:

13 “(1) IN GENERAL.—

14 “(A) DISCLOSURE OF BUNDLED CON-
 15 TRIBUTIONS BY LOBBYISTS.—Each committee
 16 described in paragraph (6) shall include in the
 17 first report required to be filed under this sec-
 18 tion after each covered period (as defined in
 19 paragraph (2)) a separate schedule setting forth
 20 the name, address, and employer of each person
 21 reasonably known by the committee to be a per-
 22 son described in paragraph (7) who provided
 23 two or more bundled contributions to the com-
 24 mittee in an aggregate amount greater than the
 25 applicable threshold (as defined in paragraph

1 (3)) during the covered period, and the aggregate
2 amount of the bundled contributions provided
3 by each such person during the covered
4 period.

5 “(B) DISCLOSURE OF BUNDLED CONTRIBUTIONS TO PRESIDENTIAL CAMPAIGNS.—

6 Each committee which is an authorized committee
7 of a candidate for the office of President
8 or for nomination to such office shall include in
9 the first report required to be filed under this
10 section after each covered period (as defined in
11 paragraph (2)) a separate schedule setting forth
12 the name, address, and employer of each person
13 who provided two or more bundled contributions
14 to the committee in an aggregate amount
15 greater than the applicable threshold (as defined
16 in paragraph (3)) during the election
17 cycle, and the aggregate amount of the bundled
18 contributions provided by each such person during
19 the covered period and such election cycle.
20 Such schedule shall include a separate listing of
21 the name, address, and employer of each person
22 included on such schedule who is reasonably
23 known by the committee to be a person described
24 in paragraph (7), together with the ag-
25

1 gregate amount of bundled contributions pro-
2 vided by such person during such period and
3 such cycle.

4 “(2) COVERED PERIOD.—In this subsection, a
5 ‘covered period’ means—

6 “(A) with respect to a committee which is
7 an authorized committee of a candidate for the
8 office of President or for nomination to such of-
9 fice—

10 “(i) the 4-year election cycle ending
11 with the date of the election for the office
12 of the President; and

13 “(ii) any reporting period applicable
14 to the committee under this section during
15 which any person provided two or more
16 bundled contributions to the committee;
17 and

18 “(B) with respect to any other com-
19 mittee—

20 “(i) the period beginning January 1
21 and ending June 30 of each year;

22 “(ii) the period beginning July 1 and
23 ending December 31 of each year; and

24 “(iii) any reporting period applicable
25 to the committee under this section during

1 which any person described in paragraph
2 (7) provided two or more bundled contribu-
3 tions to the committee in an aggregate
4 amount greater than the applicable thresh-
5 old.

6 “(3) APPLICABLE THRESHOLD.—

7 “(A) IN GENERAL.—In this subsection, the
8 ‘applicable threshold’ is—

9 “(i) \$50,000 in the case of a com-
10 mittee which is an authorized committee of
11 a candidate for the office of President or
12 for nomination to such office; and

13 “(ii) \$25,000 in the case of any other
14 committee.

15 In determining whether the amount of bundled
16 contributions provided to a committee by a per-
17 son exceeds the applicable threshold, there shall
18 be excluded any contribution made to the com-
19 mittee by the person or the person’s spouse.

20 “(B) INDEXING.—In any calendar year
21 after 2017, section 315(c)(1)(B) shall apply to
22 each amount applicable under subparagraph
23 (A) in the same manner as such section applies
24 to the limitations established under subsections
25 (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such

1 section, except that for purposes of applying
2 such section to the amount applicable under
3 subparagraph (A), the ‘base period’ shall be
4 2016.

5 “(C) AGGREGATION OF CONTRIBUTIONS
6 FROM COSPONSORS OF FUNDRAISING EVENT.—
7 For purposes of determining the amount of
8 bundled contributions provided by a person to a
9 committee which were received by the person at
10 a fundraising event sponsored by the person, or
11 in response to an invitation to attend a fund-
12 raising event sponsored by the person, each per-
13 son who is a sponsor of the event shall be con-
14 sidered to have provided to the committee the
15 aggregate amount of all bundled contributions
16 which were provided to the committee by all
17 sponsors of the event.”.

18 (b) CONFORMING AMENDMENTS.—Section 304(i) of
19 such Act (52 U.S.C. 30104(i)) is amended—

20 (1) in paragraph (5), by striking “described in
21 paragraph (7)” each place it appears in subpara-
22 graphs (C) and (D);

23 (2) in paragraph (6), by inserting “(other than
24 a candidate for the office of President or for nomi-
25 nation to such office)” after “candidate”; and

1 (3) in paragraph (8)(A)—

2 (A) by striking “, with respect to a com-
3 mittee described in paragraph (6) and a person
4 described in paragraph (7),” and inserting “,
5 with respect to a committee described in para-
6 graph (6) or an authorized committee of a can-
7 didate for the office of President or for nomina-
8 tion to such office,”;

9 (B) by striking “by the person” in clause
10 (i) thereof and inserting “by any person”; and

11 (C) by striking “the person” each place it
12 appears in clause (ii) and inserting “such per-
13 son”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply with respect to reports filed under
16 section 304 of the Federal Election Campaign Act of 1971
17 after January 1, 2018.

18 **SEC. 504. REPEAL OF SPECIAL CONTRIBUTION LIMITS FOR**
19 **CONTRIBUTIONS TO NATIONAL PARTIES FOR**
20 **CERTAIN PURPOSES.**

21 (a) IN GENERAL.—Section 315(a) of the Federal
22 Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is
23 amended—

24 (1) in paragraph (1)(B), by striking “, or, in
25 the case of contributions made to any of the ac-

1 counts described in paragraph (9), exceed 300 per-
2 cent of the amount otherwise applicable under this
3 subparagraph with respect to such calendar year”,

4 (2) in paragraph (2)(B), by striking “, or, in
5 the case of contributions made to any of the ac-
6 counts described in paragraph (9), exceed 300 per-
7 cent of the amount otherwise applicable under this
8 subparagraph with respect to such calendar year”,
9 and

10 (3) by striking paragraph (9).

11 (b) CONFORMING AMENDMENT.—Section 315(d) of
12 such Act (52 U.S.C. 30116(d)), as amended by section
13 202, is amended by striking paragraph (5).

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to contributions made after the
16 date of the enactment of this Act.

17 (d) RETURN OF PREVIOUSLY CONTRIBUTED
18 AMOUNTS.—Not later than 90 days after the date of the
19 enactment of this Act, each political committee established
20 and maintained by a political party shall distribute all
21 amounts in accounts described in section 315(a)(9) of the
22 Federal Election Campaign Act of 1971 (52 U.S.C.
23 30116(a)(9)) to individuals who made contributions to
24 such accounts. The amount distributed to any contributor
25 from any account shall bear the same ratio to the amount

1 of contributions made by such contributor to such account
2 as the balance of such account on the date of the enact-
3 ment of this Act bears to the total amount of contributions
4 made to such account.

5 **SEC. 505. JUDICIAL REVIEW OF ACTIONS RELATED TO CAM-**
6 **PAIGN FINANCE LAWS.**

7 (a) IN GENERAL.—Title IV of the Federal Election
8 Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is
9 amended by inserting after section 406 the following new
10 section:

11 **“SEC. 407. JUDICIAL REVIEW.**

12 “(a) IN GENERAL.—If any action is brought for de-
13 claratory or injunctive relief to challenge the constitu-
14 tionality of any provision of this Act or of chapter 95 or
15 96 of the Internal Revenue Code of 1986, or is brought
16 to with respect to any action of the Commission under
17 chapter 95 or 96 of the Internal Revenue Code of 1986,
18 the following rules shall apply:

19 “(1) The action shall be filed in the United
20 States District Court for the District of Columbia
21 and an appeal from the decision of the district court
22 may be taken to the Court of Appeals for the Dis-
23 trict of Columbia Circuit.

1 “(2) In the case of an action relating to declar-
2 atory or injunctive relief to challenge the constitu-
3 tionality of a provision—

4 “(A) a copy of the complaint shall be deliv-
5 ered promptly to the Clerk of the House of
6 Representatives and the Secretary of the Sen-
7 ate; and

8 “(B) it shall be the duty of the United
9 States District Court for the District of Colum-
10 bia, the Court of Appeals for the District of Co-
11 lumbia, and the Supreme Court of the United
12 States to advance on the docket and to expedite
13 to the greatest possible extent the disposition of
14 the action and appeal.

15 “(b) INTERVENTION BY MEMBERS OF CONGRESS.—
16 In any action in which the constitutionality of any provi-
17 sion of this Act or chapter 95 or 96 of the Internal Rev-
18 enue Code of 1986 is raised, any member of the House
19 of Representatives (including a Delegate or Resident Com-
20 missioner to the Congress) or Senate shall have the right
21 to intervene either in support of or opposition to the posi-
22 tion of a party to the case regarding the constitutionality
23 of the provision. To avoid duplication of efforts and reduce
24 the burdens placed on the parties to the action, the court
25 in any such action may make such orders as it considers

1 necessary, including orders to require interveners taking
2 similar positions to file joint papers or to be represented
3 by a single attorney at oral argument.

4 “(c) CHALLENGE BY MEMBERS OF CONGRESS.—Any
5 Member of Congress may bring an action, subject to the
6 special rules described in subsection (a), for declaratory
7 or injunctive relief to challenge the constitutionality of any
8 provision of this Act or chapter 95 or 96 of the Internal
9 Revenue Code of 1986.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) IN GENERAL.—

12 (A) Section 310 of the Federal Election
13 Campaign Act of 1971 (52 U.S.C. 30110) is re-
14 pealed.

15 (B) Section 9011 of the Internal Revenue
16 Code of 1986 is amended to read as follows:

17 **“SEC. 9011. JUDICIAL REVIEW.**

18 “For provisions relating to judicial review of certifi-
19 cations, determinations, and actions by the Commission
20 under this chapter, see section 407 of the Federal Election
21 Campaign Act of 1971.”.

22 (C) Section 9041 of the Internal Revenue
23 Code of 1986 is amended to read as follows:

1 **“SEC. 9041. JUDICIAL REVIEW.**

2 “For provisions relating to judicial review of actions
3 by the Commission under this chapter, see section 407 of
4 the Federal Election Campaign Act of 1971.”.

5 (D) Section 403 of the Bipartisan Cam-
6 paign Finance Reform Act of 2002 (52 U.S.C.
7 30110 note) is repealed.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to actions brought on or after Jan-
10 uary 1, 2018.

11 **TITLE VI—SEVERABILITY;**
12 **EFFECTIVE DATE**

13 **SEC. 601. SEVERABILITY.**

14 If any provision of this Act or amendment made by
15 this Act, or the application of a provision or amendment
16 to any person or circumstance, is held to be unconstitu-
17 tional, the remainder of this Act and amendments made
18 by this Act, and the application of the provisions and
19 amendment to any person or circumstance, shall not be
20 affected by the holding.

21 **SEC. 602. EFFECTIVE DATE.**

22 Except as otherwise provided in this Act, the amend-
23 ments made by this Act shall apply with respect to elec-
24 tions occurring after January 1, 2018.

