

Union Calendar No. 212

103D CONGRESS
1ST SESSION

H. R. 3

[Report No. 103-375, Part I]

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.

NOVEMBER 19, 1993

Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. GEJDENSON (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. DERRICK, Mrs. KENNELLY, Mr. LEWIS of Georgia, Mr. HOYER, Mr. FAZIO, Mr. ROSE, Mr. KLECZKA, Ms. DELAURO, Mr. SWIFT, Mr. SYNAR, Mr. SANDERS, Mr. BACCHUS of Florida, Mr. CONYERS, Ms. KAPTUR, Mr. MAZZOLI, Mr. STARK, Mr. MILLER of California, Mr. DIXON, Mr. STUDDS, Mr. HOAGLAND, Mrs. SCHROEDER, Mr. MCDERMOTT, Mr. VENTO, Mr. ANDREWS of Maine, Mr. OLVER, and Mr. CARDIN) introduced the following bill; which was referred to the Committee on House Administration

NOVEMBER 17, 1993

Reported with an amendment and referred to the Committee on the Judiciary for a period ending not later than November 19, 1993 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1 (I), rule X.

[Strike out all after the enacting clause and insert the part printed in italic]

NOVEMBER 19, 1993

Additional sponsors: Mr. JOHNSON of South Dakota, Mr. PENNY, Mr. HALL of Ohio, Mr. ABERCROMBIE, Mr. COYNE, Mr. YATES, Mr. SKAGGS, Mr. FORD of Michigan, Mr. HINCHEY, Mr. BARRETT of Wisconsin, Mr. HASTINGS, Mr. EVANS, Mr. FARR, Mr. REED, Mrs. MALONEY, Mr. JOHNSTON of Florida, and Mr. OBEY

NOVEMBER 19, 1993

Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on January 5, 1993]

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, 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 *“House of Representatives Campaign Spending Limit and*
 6 *Election Reform Act of 1993”.*

7 (c) *TABLE OF CONTENTS.*—

Sec. 1. Short title; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—[Reserved]

*Subtitle B—Expenditure Limitations, Contribution Limitations, and Voter
 Communication Vouchers for Eligible House of Representatives Candidates*

Sec. 121. Provisions applicable to eligible House of Representatives candidates.

Sec. 122. Registration as eligible House of Representatives candidate.

Sec. 123. Definitions.

*TITLE II—LIMITATIONS ON POLITICAL COMMITTEE AND LARGE
 DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF
 REPRESENTATIVES CANDIDATES*

*Sec. 201. Limitations on political committee and large donor contributions that
 may be accepted by House of Representatives candidates.*

TITLE III—INDEPENDENT EXPENDITURES

Sec. 301. Clarification of definitions relating to independent expenditures.

Sec. 302. Reporting requirements for certain independent expenditures.

*Sec. 303. Broadcast and cable independent expenditure communications against
 eligible House of Representatives candidates.*

TITLE IV—CONTRIBUTIONS AND EXPENDITURES BY POLITICAL
PARTY COMMITTEES

- Sec. 401. Definitions.*
- Sec. 402. Contributions to political party committees.*
- Sec. 403. Provisions relating to national, State, and local party committees.*
- Sec. 404. Reporting requirements.*
- Sec. 405. Restrictions on fundraising by candidates and officeholders.*
- Sec. 406. Increase in authorized political committee contributions to congressional campaign committees.*
- Sec. 407. Increase in the amount that multicandidate political committees may contribute to national political party committees.*
- Sec. 408. Merchandising and affinity cards.*
- Sec. 409. Increased limitation amount for certain contributions to political committees of State political parties.*

TITLE V—CONTRIBUTIONS

- Sec. 501. Restrictions on bundling.*
- Sec. 502. Contributions by dependents not of voting age.*
- Sec. 503. Prohibition of acceptance by a candidate of cash contributions from any one person aggregating more than \$100.*
- Sec. 504. Contributions to candidates from State and local committees of political parties to be aggregated.*
- Sec. 505. Prohibition of false representation to solicit contributions.*
- Sec. 506. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.*
- Sec. 507. Amendment to section 316 of the Federal Election Campaign Act of 1971.*
- Sec. 508. Prohibition of certain election-related activities of foreign nationals.*

TITLE VI—REPORTING REQUIREMENTS

- Sec. 601. Change in certain reporting from a calendar year basis to an election cycle basis.*
- Sec. 602. Personal and consulting services.*
- Sec. 603. Reduction in threshold for reporting of certain information by persons other than political committees.*
- Sec. 604. Computerized indices of contributions.*
- Sec. 605. Identification.*
- Sec. 606. Political committees.*
- Sec. 607. Use of candidates’ names.*
- Sec. 608. Reporting requirements.*
- Sec. 609. Simultaneous registration of candidate and candidate’s principal campaign committee.*
- Sec. 610. Disclosures by organizations that engage in lobbying.*

TITLE VII—FEDERAL ELECTION COMMISSION

- Sec. 701. Appearance as amici curiae.*
- Sec. 702. Federal Election Commission public service announcements.*
- Sec. 703. Authority to seek injunction.*
- Sec. 704. Expedited procedures.*
- Sec. 705. Insolvent political committees.*

TITLE VIII—BALLOT INITIATIVE COMMITTEES

- Sec. 801. Definitions relating to ballot initiatives.*
- Sec. 802. Amendment to definition of contribution.*
- Sec. 803. Amendment to definition of expenditure.*
- Sec. 804. Organization of ballot initiative committees.*
- Sec. 805. Registration of ballot initiative committees.*
- Sec. 806. Reporting by ballot initiative committees.*
- Sec. 807. Enforcement for ballot initiative committees.*
- Sec. 808. Prohibition on contributions and expenditures by ballot initiative committees.*

TITLE IX—MISCELLANEOUS

- Sec. 901. Broadcast rates and preemption.*
- Sec. 902. Campaign advertising amendments.*
- Sec. 903. Telephone voting by persons with disabilities.*
- Sec. 904. Transfer of presidential election financing provisions to Federal Election Campaign Act of 1971.*

TITLE X—HOUSE OF REPRESENTATIVES CAMPAIGN ELECTION
FUNDING AND RELATED MATTERS

- Sec. 1001. Make Democracy Work Election Fund.*

TITLE XI—EFFECTIVE DATES; SEVERABILITY

- Sec. 1101. Effective date.*
- Sec. 1102. Severability.*
- Sec. 1103. Expedited review of constitutional issues.*
- Sec. 1104. Regulations.*
- Sec. 1105. Budget neutrality.*

1 **TITLE I—CONTROL OF CONGRES-**
2 **SIONAL CAMPAIGN SPENDING**
3 **Subtitle A—[Reserved]**

4 **Subtitle B—Expenditure Limita-**
5 **tions, Contribution Limitations,**
6 **and Voter Communication**
7 **Vouchers for Eligible House of**
8 **Representatives Candidates**

9 **SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE OF**
10 **REPRESENTATIVES CANDIDATES.**

11 (a) *IN GENERAL.*—The Federal Election Campaign
12 Act of 1971 is amended by adding at the end the following
13 new title:

14 **“TITLE VI—EXPENDITURE LIM-**
15 **TATIONS, CONTRIBUTION**
16 **LIMITATIONS, AND VOTER**
17 **COMMUNICATION VOUCHERS**
18 **FOR ELIGIBLE HOUSE OF**
19 **REPRESENTATIVES CAN-**
20 **DIDATES**

21 **“SEC. 601. EXPENDITURE LIMITATIONS.**

22 (a) *IN GENERAL.*—An eligible House of Representa-
23 tives candidate may not, in an election cycle, make expendi-
24 tures aggregating more than \$600,000.

1 “(b) *RUNOFF ELECTION AND SPECIAL ELECTION*
2 *AMOUNTS.*—

3 “(1) *RUNOFF ELECTION AMOUNT.*—*If an eligible*
4 *House of Representatives candidate is a candidate in*
5 *a runoff election, the candidate may make additional*
6 *expenditures aggregating not more than \$200,000 in*
7 *the election cycle.*

8 “(2) *SPECIAL ELECTION AMOUNT.*—*An eligible*
9 *House of Representatives candidate who is a can-*
10 *didate in a special election may make expenditures*
11 *aggregating not more than \$600,000 with respect to*
12 *the special election.*

13 “(c) *CLOSELY CONTESTED PRIMARY.*—*If, as deter-*
14 *mined by the Commission, an eligible House of Representa-*
15 *tives candidate in a contested primary election wins that*
16 *primary election by a margin of 20 percentage points or*
17 *less, the candidate may make additional expenditures ag-*
18 *gregating not more than \$200,000 in the election cycle.*

19 “(d) *NONPARTICIPATING OPPONENT PROVISIONS.*—

20 “(1) *LIMITATION EXCEPTION.*—*The limitations*
21 *imposed by subsections (a) and (b) do not apply in*
22 *the case of an eligible House of Representatives can-*
23 *didate if any other general election candidate seeking*
24 *nomination or election to that office—*

1 “(A) is not an eligible House of Representa-
2 tives candidate; and

3 “(B) receives contributions or makes ex-
4 penditures in excess of 25 percent of the limita-
5 tion under subsection (a).

6 “(2) CONTINUED ELIGIBILITY AND ADDITIONAL
7 MATCHING FUNDS.—An eligible House of Representa-
8 tives candidate referred to in paragraph (1)—

9 “(A) shall continue to be eligible for all ben-
10 efits under this title; and

11 “(B) shall receive voter communication
12 vouchers under section 604.

13 “(3) REPORTING REQUIREMENT.—A candidate
14 for the office of Representative in, or Delegate or Resi-
15 dent Commissioner to, the Congress—

16 “(A) who is not an eligible House of Rep-
17 resentatives candidate; and

18 “(B) who makes contributions in excess of
19 \$50,000 of personal funds of the candidate and
20 members of the candidate’s immediate family to
21 the authorized committee of the candidate or re-
22 ceives contributions or makes expenditures in ex-
23 cess of 25 percent of the limitation under sub-
24 section (a);

1 *shall report that the threshold has been reached to the*
2 *Clerk of the House of Representatives not later than*
3 *48 hours after reaching the threshold. The Clerk shall*
4 *transmit a report received under this paragraph to*
5 *the Commission as soon as possible (but no later than*
6 *4 working hours of the Commission) after such re-*
7 *ceipt, and the Commission shall transmit a copy to*
8 *each other candidate for election to the same office*
9 *within 48 hours of receipt.*

10 “(e) *EXEMPTION FOR LEGAL COSTS AND TAXES.—Any*
11 *costs incurred by an eligible House of Representatives can-*
12 *didate or his or her authorized committee, or a Federal of-*
13 *ficerholder, for legal services or Federal, State, or local in-*
14 *come and payroll taxes with respect to a candidate’s author-*
15 *ized committees, or to comply with section 606, shall not*
16 *be considered in the computation of amounts subject to limi-*
17 *tation under this section.*

18 “(f) *EXEMPTION FOR ACCOUNTING OR FUNDRAISING*
19 *COSTS.—*

20 “(1) *Any costs incurred by an eligible House of*
21 *Representatives candidate or his or her authorized*
22 *committee in connection with the solicitation of con-*
23 *tributions on behalf of such candidate or for account-*
24 *ing services to ensure compliance with this Act shall*
25 *not be considered in the computation of amounts sub-*

1 *ject to limitation under subsection (a) to the extent*
2 *that the aggregate of such costs does not exceed 10*
3 *percent of the limitation under subsection (a).*

4 *“(2) An amount equal to 10 percent of salaries*
5 *and overhead expenditures of an eligible House of*
6 *Representatives candidate’s campaign headquarters*
7 *and offices shall not be considered in the computation*
8 *of amounts subject to limitation under this section.*
9 *Any amount excluded under this paragraph shall be*
10 *applied against the accounting or fundraising ex-*
11 *penditure exemption under paragraph (1).*

12 *“(g) CIVIL PENALTIES.—*

13 *“(1) LOW AMOUNT OF EXCESS EXPENDITURES.—*
14 *Any eligible House of Representatives candidate who*
15 *makes expenditures that exceed a limitation under*
16 *subsection (a) or subsection (b) by 2.5 percent or less*
17 *shall pay to the Commission an amount equal to the*
18 *amount of the excess expenditures.*

19 *“(2) MEDIUM AMOUNT OF EXCESS EXPENDI-*
20 *TURES.—Any eligible House of Representatives can-*
21 *didate who makes expenditures that exceed a limita-*
22 *tion under subsection (a) or subsection (b) by more*
23 *than 2.5 percent and less than 5 percent shall pay to*
24 *the Commission an amount equal to three times the*
25 *amount of the excess expenditures.*

1 “(3) *LARGE AMOUNT OF EXCESS EXPENDI-*
2 *TURES.*—Any eligible House of Representatives can-
3 *didate who makes expenditures that exceed a limita-*
4 *tion under subsection (a) or subsection (b) by 5 per-*
5 *cent or more shall pay to the Commission an amount*
6 *equal to three times the amount of the excess expendi-*
7 *tures plus a civil penalty in an amount determined*
8 *by the Commission.*

9 “(h) *INDEXING.*—The dollar amounts specified in sub-
10 *sections (a), (b), and (c) shall be adjusted at the beginning*
11 *of each calendar year based on the increase in the price*
12 *index determined under section 315(c), except that, for the*
13 *purposes of such adjustment, the base period shall be cal-*
14 *endar year 1992.*

15 “(i) *The limitations of this section do not apply in*
16 *the case of any recall action held pursuant to State law.*

17 **“SEC. 602. CONTRIBUTION LIMITATIONS.**

18 “(a) *PERSONAL CONTRIBUTIONS.*—An eligible House
19 *of Representatives candidate may not, with respect to an*
20 *election cycle, make contributions or loans to his or her own*
21 *campaign totaling more than \$50,000 from the personal*
22 *funds of the candidate. The amount that the candidate may*
23 *accept from persons referred to in section 315(i)(2) shall*
24 *be reduced by the amount of contributions made under the*

1 *preceding sentence. Contributions from the personal funds*
2 *of a candidate may not be matched under section 604.*

3 “(b) *LIMITATION EXCEPTION.—The limitation im-*
4 *posed by subsection (a) does not apply in the case of an*
5 *eligible House of Representatives candidate if any other*
6 *candidate for that office—*

7 “(1) *is not an eligible House of Representatives*
8 *general election candidate; and*

9 “(2) *makes contributions or loans to his or her*
10 *own campaign totaling more than \$50,000 from his*
11 *or her own personal funds.*

12 **“SEC. 603. DECLARATION OF PARTICIPATION; CONTINUING**
13 **ELIGIBILITY.**

14 *“The Commission shall determine whether a candidate*
15 *is eligible under this title and, by reason of such eligibility*
16 *may receive benefits under this title. Such determination*
17 *shall—*

18 “(1) *in the case of an initial determination, be*
19 *based on a declaration of participation submitted by*
20 *the candidate; and*

21 “(2) *in the case of a determination of continuing*
22 *eligibility, be based on relevant additional informa-*
23 *tion submitted in such form and manner as the Com-*
24 *mission may require.*

1 **“SEC. 604. VOTER COMMUNICATION VOUCHERS.**

2 “(a) *IN GENERAL.*—An eligible House of Representa-
3 *tives candidate shall be entitled to receive, with respect to*
4 *the general election, an amount of voter communication*
5 *vouchers equal to the amount of contributions from individ-*
6 *uals received by the candidate, but not more than \$200,000,*
7 *with not more than \$200 to be taken into account per indi-*
8 *vidual.*

9 “(b) *SPECIFIC REQUIREMENTS.*—A candidate for the
10 *office of Representative in, or Delegate or Resident Commis-*
11 *sioner to, the Congress may receive voter communication*
12 *vouchers under subsection (a) only if the candidate—*

13 “(1) *in an election cycle, has received 10 percent*
14 *of the limit specified in section 601(a) in contribu-*
15 *tions from individuals, with not more than \$200 to*
16 *be taken into account per individual;*

17 “(2) *qualifies for the general election ballot;*

18 “(3) *has an opponent on the general election bal-*
19 *lot; and*

20 “(4) *files a declaration of participation in which*
21 *the candidate agrees to—*

22 “(A) *comply with the limitations under sec-*
23 *tions 601 and 315(i);*

24 “(B) *cooperate in the case of any audit by*
25 *the Commission by furnishing such campaign*

1 *records and other information as the Commis-*
2 *sion may require; and*

3 *“(C) comply with any repayment require-*
4 *ment under section 606.*

5 *“(c) WRITTEN INSTRUMENT REQUIREMENT.—No con-*
6 *tribution in any form other than a gift of money made by*
7 *a written instrument or a certification by the committee*
8 *making the request that identifies the individual making*
9 *the contribution by full name and address may be used as*
10 *a basis for any matching payment under this section.*

11 *“(d) CERTIFICATION AND PAYMENT.—*

12 *“(1) CERTIFICATION.—Except as provided in*
13 *paragraphs (2), (3), and (4) not later than 5 days*
14 *after receiving a request for payment, the Commission*
15 *shall certify for payment the amount requested under*
16 *this section. The request by an eligible candidate to*
17 *receive voter communications vouchers under this sec-*
18 *tion shall contain—*

19 *“(A) such information and be made in ac-*
20 *cordance with such procedures as the Commis-*
21 *sion may provide by regulation; and*

22 *“(B) a verification signed by the candidate*
23 *and the treasurer of the principal campaign*
24 *committee of such candidate stating that the in-*
25 *formation furnished in support of the request, to*

1 *the best of their knowledge, is correct and fully*
2 *satisfies the requirements of this title.*

3 “(2) *PAYMENTS.*—*The initial payment of voter*
4 *communication vouchers under subsection (a) to an*
5 *eligible candidate shall be an amount equal to at least*
6 *10 percent of the limit specified in section 601(a). All*
7 *payments shall be—*

8 “(A) *made not later than 48 hours after cer-*
9 *tification under paragraph (1); and*

10 “(B) *subject to proportional reduction in*
11 *the case of insufficient funds.*

12 “(3) *PARTIAL CERTIFICATION.*—*If the Commis-*
13 *sion determines that any portion of a request does not*
14 *meet the requirements for certification, the Commis-*
15 *sion shall withhold the certification for that portion*
16 *only and inform the candidate as to how the can-*
17 *didate may correct the request.*

18 “(4) *CERTIFICATION WITHHELD.*—*The Commis-*
19 *sion may withhold certification if it determines that*
20 *a candidate who is otherwise eligible has engaged in*
21 *a pattern of activity indicating that the promises in*
22 *the candidate’s statement of participation cannot be*
23 *relied upon.*

24 “(e) *CLOSELY CONTESTED PRIMARY.*—*If, as deter-*
25 *mined by the Commission, an eligible House of Representa-*

1 *tives candidate in a contested primary election wins that*
2 *primary election by a margin of 20 percentage points or*
3 *less, the candidate shall be eligible to receive matching*
4 *vouchers totaling not more than \$66,600, in addition to any*
5 *other amount received under this section. The amount*
6 *available under the preceding sentence is subject to the*
7 *matching requirements of this section.*

8 “(f) *INDEPENDENT EXPENDITURE PROVISION.—If,*
9 *with respect to a general election involving an eligible*
10 *House of Representatives candidate, independent expendi-*
11 *tures totaling \$10,000 are made against the eligible House*
12 *of Representatives candidate or in favor of another can-*
13 *didate, the eligible House of Representatives candidate shall*
14 *be entitled, in addition to any amount received under sub-*
15 *section (a), to voter communication vouchers equal to the*
16 *amount of such independent expenditures, and expenditures*
17 *may be made from such vouchers without regard to the limi-*
18 *tations in section 601.*

19 “(g) *PROHIBITION OF CONVERSION TO PERSONAL*
20 *USE.—An eligible candidate who receives voter communica-*
21 *tion vouchers under this section may not convert any*
22 *amount to personal use or make any payments, directly or*
23 *indirectly, to such candidate or to any members of the im-*
24 *mediate family of the candidate.*

1 “(h) *INDEXING.*—The dollar amount specified in sub-
2 sections (a) and (e) (other than the amount taken into ac-
3 count per individual) shall be adjusted at the beginning of
4 the calendar year based on the increase in the price index
5 determined under section 315(c), except that, for the pur-
6 poses of such adjustment, the base period shall be calendar
7 year 1992.

8 “(i) *USE OF VOTER COMMUNICATION VOUCHERS.*—
9 Voter communication vouchers shall be used by an eligible
10 House of Representatives candidate—

11 “(1) to purchase broadcast time during the gen-
12 eral election period in the same manner as other
13 broadcast time may be purchased by the candidate;

14 “(2) to purchase print advertisements during the
15 general election period;

16 “(3) to purchase voter contact campaign mate-
17 rials (brochures, bumper stickers, handbills, pins,
18 posters, and yard signs) used during the general elec-
19 tion period; or

20 “(4) to pay for postage expenses incurred during
21 the general election period.

22 “(j) *UNEXPENDED VOUCHERS.*—Any amount of voter
23 communication vouchers received by an eligible House can-
24 didate under this title and not expended on or before the
25 date of the general election shall be repaid within 60 days

1 of the election, except that a reasonable amount may be re-
2 tained for a period not exceeding 120 days after the date
3 of the general election for the liquidation of obligations to
4 pay expenditures for the general election incurred during
5 the general election period. At the end of the 120-day period,
6 any unexpended vouchers received under this title shall be
7 promptly repaid.

8 **“SEC. 605. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
9 **VISION COMMERCIALS OF ELIGIBLE HOUSE**
10 **OF REPRESENTATIVES CANDIDATES.**

11 “No eligible House of Representatives candidate may
12 receive amounts under section 604 unless such candidate
13 has certified to the Federal Election Commission that any
14 television commercial prepared or distributed by the can-
15 didate will be prepared in a manner that contains, is ac-
16 companied by, or otherwise readily permits closed caption-
17 ing of the oral content of the commercial to be broadcast
18 by way of line 21 of the vertical blanking interval, or by
19 way of comparable successor technologies.

20 **“SEC. 606. EXAMINATION AND AUDITS; REPAYMENTS.**

21 “(a) GENERAL ELECTION.—After each general elec-
22 tion, the Commission shall conduct an examination and
23 audit of the campaign accounts of 5 percent of the eligible
24 House of Representatives candidates, as designated by the
25 Commission through the use of an appropriate statistical

1 *method of random selection, to determine whether such can-*
2 *didates have complied with the conditions of eligibility and*
3 *other requirements of this title. No other factors shall be*
4 *considered in carrying out such an examination and audit.*
5 *The Commission shall conduct an examination and audit*
6 *of the accounts of all candidates from a congressional dis-*
7 *trict where any eligible candidate is selected for examina-*
8 *tion and audit.*

9 “(b) *SPECIAL ELECTION.*—After each special election,
10 *the Commission shall conduct an examination and audit*
11 *of the campaign accounts of all eligible candidates in the*
12 *election to determine whether the candidates have complied*
13 *with the conditions of eligibility and other requirements of*
14 *this title.*

15 “(c) *AFFIRMATIVE VOTE.*—The Commission may con-
16 *duct an examination and audit of the campaign accounts*
17 *of any eligible House of Representatives candidate in a gen-*
18 *eral election if the Commission, by an affirmative vote of*
19 *4 members, determines that there exists reason to believe*
20 *whether such candidate may have violated any provision*
21 *of this title.*

22 “(d) *PAYMENTS.*—If the Commission determines that
23 *any amount of a payment to a candidate under this title*
24 *was in excess of the aggregate payments to which such can-*
25 *didate was entitled, the Commission shall so notify the can-*

1 *didate, and the candidate shall pay an amount equal to*
2 *the excess.*

3 ***“SEC. 607. JUDICIAL REVIEW.***

4 *“(a) JUDICIAL REVIEW.—Any agency action by the*
5 *Commission made under the provisions of this title shall*
6 *be subject to review by the United States Court of Appeals*
7 *for the District of Columbia Circuit upon petition filed in*
8 *such court within 30 days after the agency action by the*
9 *Commission for which review is sought. It shall be the duty*
10 *of the Court of Appeals, ahead of all matters not filed under*
11 *this title, to advance on the docket and expeditiously take*
12 *action on all petitions filed pursuant to this title.*

13 *“(b) APPLICATION OF TITLE 5.—The provisions of*
14 *chapter 7 of title 5, United States Code, shall apply to judi-*
15 *cial review of any agency action by the Commission.*

16 *“(c) AGENCY ACTION.—For purposes of this section,*
17 *the term ‘agency action’ has the meaning given such term*
18 *by section 551(13) of title 5, United States Code.*

19 ***“SEC. 608. PARTICIPATION BY COMMISSION IN JUDICIAL***
20 ***PROCEEDINGS.***

21 *“(a) APPEARANCES.—The Commission is authorized*
22 *to appear in and defend against any action instituted*
23 *under this section and under section 607 either by attorneys*
24 *employed in its office or by counsel whom it may appoint*
25 *without regard to the provisions of title 5, United States*

1 “(1) the expenditures (shown in such detail as
2 the Commission determines appropriate) made by
3 each eligible candidate and the authorized committees
4 of such candidate;

5 “(2) the aggregate amount of voter communica-
6 tion vouchers certified by the Commission under sec-
7 tion 604 for each eligible candidate; and

8 “(3) the amount of repayments, if any, required
9 under section 606, and the reasons for each repay-
10 ment required.

11 Each report submitted pursuant to this section shall be
12 printed as a House document.

13 “(b) DETERMINATIONS BY COMMISSION.—All deter-
14 minations (including certifications under section 604)
15 made by the Commission under this title shall be final and
16 conclusive, except to the extent that they are subject to ex-
17 amination and audit by the Commission under section 606
18 or judicial review under section 607.

19 “(c) RULES AND REGULATIONS.—The Commission is
20 authorized to prescribe such rules and regulations, in ac-
21 cordance with the provisions of subsection (d), to conduct
22 such audits, examinations and investigations, and to re-
23 quire the keeping and submission of such books, records, and
24 information, as it deems necessary to carry out the func-
25 tions and duties imposed on it by this title.

1 “(d) *REPORT OF PROPOSED REGULATIONS.*—The
2 *Commission shall submit to the House of Representatives*
3 *a report containing a detailed explanation and justification*
4 *of each rule, regulation, and form of the Commission under*
5 *this title. No such rule, regulation, or form may take effect*
6 *until a period of 30 legislative days has elapsed after the*
7 *report is received. As used in this subsection—*

8 “(1) the term ‘legislative day’ means any cal-
9 endar day on which the House of Representatives is
10 in session; and

11 “(2) the terms ‘rule’ and ‘regulation’ mean a
12 provision or series of interrelated provisions stating a
13 single, separable rule of law.”.

14 (b) *REPORT ON USING VOTER COMMUNICATION*
15 *VOUCHERS FOR PRIMARY ELECTIONS.*—The Commission
16 *shall submit to the House of Representatives, not later than*
17 *January 1, 1997, a report containing an evaluation for ex-*
18 *panding the use of voter communication vouchers in pri-*
19 *mary elections for eligible candidates to the House of Rep-*
20 *resentatives for the election year 2000 and thereafter. The*
21 *report shall include a detailed cost estimate for such expan-*
22 *sion and options for financing the use of Voter Communica-*
23 *tion Vouchers in primary elections.*

1 **SEC. 122. REGISTRATION AS ELIGIBLE HOUSE OF REP-**
2 **RESENTATIVES CANDIDATE.**

3 (a) *IN GENERAL.*—Section 302(e) of the Federal Elec-
4 tion Campaign Act of 1971 (2 U.S.C. 432(e)) is amended
5 by adding at the end the following new paragraph:

6 “(6)(A) *In the case of a candidate for the office of Rep-*
7 *resentative in, or Delegate or Resident Commissioner to, the*
8 *Congress, who desires to be an eligible House of Representa-*
9 *tives candidate, a declaration of participation of the can-*
10 *didate to abide by the limits specified in sections 601 and*
11 *315(i) and provide the information required under section*
12 *604(b)(4) shall be included in the designation required to*
13 *be filed under paragraph (1).*

14 “(B)(i) *In the case of a candidate referred to in sub-*
15 *paragraph (A), if the statement of candidacy does not in-*
16 *clude a declaration referred to in that paragraph, the can-*
17 *didate may amend the statement to include such declara-*
18 *tion, if such amendment is filed under subsection (g) not*
19 *later than 7 days after the earlier of—*

20 “(I) *the date the candidate qualifies for the gen-*
21 *eral election ballot under State law; or*

22 “(II) *if, under State law, a primary or runoff*
23 *election to qualify for the general election ballot oc-*
24 *curs after September 1, the date the candidate wins*
25 *the primary or runoff election.*

1 “(ii) A declaration of participation that is included
2 in a statement of candidacy or has been added by amend-
3 ment under subparagraph (B) may not thereafter be re-
4 voked.”.

5 **SEC. 123. DEFINITIONS.**

6 Section 301 of the Federal Election Campaign Act of
7 1971 (2 U.S.C. 431) is amended by striking paragraph (19)
8 and inserting the following new paragraphs:

9 “(19) The term ‘general election’ means any election
10 which will directly result in the election of a person to a
11 Federal office, but does not include an open primary elec-
12 tion.

13 “(20) The term ‘general election period’ means, with
14 respect to any candidate, the period beginning on the day
15 after the date of the primary or runoff election for the spe-
16 cific office the candidate is seeking, whichever is later, and
17 ending on the earlier of—

18 “(A) the date of such general election; or

19 “(B) the date on which the candidate withdraws
20 from the campaign or otherwise ceases actively to seek
21 election.

22 “(21) The term ‘immediate family’ means—

23 “(A) a candidate’s spouse;

1 “(B) a child, stepchild, parent, grandparent,
2 brother, step-brother, sister or step-sister of the can-
3 didate or the candidate’s spouse; and

4 “(C) the spouse of any person described in sub-
5 paragraph (B).

6 “(22) The term ‘primary election’ means an election
7 which may result in the selection of a candidate for the
8 ballot in a general election for a Federal office.

9 “(23) The term ‘primary election period’ means, with
10 respect to any candidate, the period beginning on the day
11 following the date of the last election for the specific office
12 the candidate is seeking and ending on the earlier of—

13 “(A) the date of the first primary election for
14 that office following the last general election for that
15 office; or

16 “(B) the date on which the candidate withdraws
17 from the election or otherwise ceases actively to seek
18 election.

19 “(24) The term ‘runoff election’ means an election held
20 after a primary election which is prescribed by applicable
21 State law as the means for deciding which candidate will
22 be on the ballot in the general election for a Federal office.

23 “(25) The term ‘runoff election period’ means, with re-
24 spect to any candidate, the period beginning on the day
25 following the date of the last primary election for the spe-

1 *cific office such candidate is seeking and ending on the date*
2 *of the runoff election for such office.*

3 “(26) The term ‘voting age population’ means the resi-
4 *dent population, 18 years of age or older, as certified pursu-*
5 *ant to section 315(e).*

6 “(27) The term ‘eligible House of Representatives can-
7 *didate’ means a candidate for election to the office of Rep-*
8 *resentative in, or Delegate or Resident Commissioner to, the*
9 *Congress, who, as determined by the Commission under sec-*
10 *tion 603, is eligible to receive matching vouchers and other*
11 *benefits under title VI by reason of filing a declaration of*
12 *participation under section 302(e) and complying with the*
13 *continuing eligibility requirements under section 603.*

14 “(28) The term ‘election cycle’ means—

15 “(A) *in the case of a candidate or the authorized*
16 *committees of a candidate, the term beginning on the*
17 *day after the date of the most recent general election*
18 *for the specific office or seat which such candidate*
19 *seeks and ending on the date of the next general elec-*
20 *tion for such office or seat; or*

21 “(B) *for all other persons, the term beginning on*
22 *the first day following the date of the last general elec-*
23 *tion and ending on the date of the next general elec-*
24 *tion.”.*

1 **TITLE II—LIMITATIONS ON PO-**
2 **LITICAL COMMITTEE AND**
3 **LARGE DONOR CONTRIBU-**
4 **TIONS THAT MAY BE ACCEPT-**
5 **ED BY HOUSE OF REPRESENT-**
6 **ATIVES CANDIDATES**

7 **SEC. 201. LIMITATIONS ON POLITICAL COMMITTEE AND**
8 **LARGE DONOR CONTRIBUTIONS THAT MAY**
9 **BE ACCEPTED BY HOUSE OF REPRESENTA-**
10 **TIVES CANDIDATES.**

11 *Section 315 of the Federal Election Campaign Act of*
12 *1971 (2 U.S.C. 441a) is amended by adding at the end the*
13 *following new subsections:*

14 *“(i)(1) A candidate for the office of Representative in,*
15 *or Delegate or Resident Commissioner to, the Congress may*
16 *not, with respect to an election cycle, accept contributions*
17 *from political committees aggregating in excess of \$200,000.*

18 *“(2) A candidate for the office of Representative in,*
19 *or Delegate or Resident Commissioner to, the Congress may*
20 *not, with respect to an election cycle, accept contributions*
21 *aggregating in excess of \$200,000 from persons other than*
22 *political committees whose contributions total more than*
23 *\$200.*

24 *“(3) In addition to the contributions under para-*
25 *graphs (1) and (2), if an eligible House of Representatives*

1 candidate in a contested primary election wins that pri-
2 mary election by a margin of 20 percentage points or less,
3 the candidate may accept contributions of—

4 “(A) not more than \$66,600 from political com-
5 mittees; and

6 “(B) not more than \$66,600 from persons re-
7 ferred to in paragraph (2).

8 “(4) In addition to the contributions under para-
9 graphs (1) and (2), a House of Representatives candidate
10 who is a candidate in a runoff election may accept con-
11 tributions of (A) not more than \$100,000 from political
12 committees; and (B) not more than \$100,000 from persons
13 referred to in paragraph (2).

14 “(j) *NONPARTICIPATING OPPONENT PROVISIONS.*—The
15 limitations imposed by section 315(i) do not apply in the
16 case of an eligible House of Representatives candidate if
17 any other candidate seeking nomination or election to that
18 office—

19 “(1) is not an eligible House of Representatives
20 general election candidate; and

21 “(2) makes contributions or loans to his or her
22 own campaign totaling more than \$50,000 from his
23 or her own personal funds.

24 “(k) *CIVIL PENALTIES.*—

1 “(1) *LOW AMOUNT OF EXCESS CONTRIBU-*
2 *TIONS.—Any eligible House of Representatives can-*
3 *didate who accepts contributions that exceed the limi-*
4 *tations under this section by 2.5 percent or less shall*
5 *refund the excess contributions to the persons who*
6 *made the contributions.*

7 “(2) *MEDIUM AMOUNT OF EXCESS CONTRIBU-*
8 *TIONS.—Any eligible House of Representatives can-*
9 *didate who accepts contributions that exceed the limi-*
10 *tations under this section by more than 2.5 percent*
11 *and less than 5 percent shall pay to the Commission*
12 *an amount equal to three times the amount of the ex-*
13 *cess contributions.*

14 “(3) *LARGE AMOUNT OF EXCESS CONTRIBU-*
15 *TIONS.—Any eligible House of Representatives can-*
16 *didate who accepts contributions that exceed the limi-*
17 *tations under this section by 5 percent or more shall*
18 *pay to the Commission an amount equal to three*
19 *times the amount of the excess contributions plus a*
20 *civil penalty in an amount determined by the Com-*
21 *mission.*

22 “(1) *EXEMPTION FOR CERTAIN COSTS.—Any*
23 *amount—*

24 “(1) *accepted by a House of Representatives can-*
25 *didate; and*

1 “(2) used for costs incurred under section 601(e)
2 and (f) shall not be considered in the computation of
3 amounts subject to limitation.

4 “(m) INDEXING.—The dollar amounts specified in sec-
5 tion 315(i) shall be adjusted at the beginning of the cal-
6 endar year based on the increase in the price index deter-
7 mined under section 315(c), except that, for the purposes
8 of such adjustment, the base period shall be calendar year
9 1992.

10 “(n) TRANSFER PROVISION.—The limitations imposed
11 by section 315(i) apply without regard to amounts trans-
12 ferred from previous election cycles or other authorized com-
13 mittees of the same candidate. Candidates shall not be re-
14 quired to seek the redesignation of contributions in order
15 to transfer such contributions to a later election cycle.”.

16 **TITLE III—INDEPENDENT** 17 **EXPENDITURES**

18 **SEC. 301. CLARIFICATION OF DEFINITIONS RELATING TO** 19 **INDEPENDENT EXPENDITURES.**

20 (a) INDEPENDENT EXPENDITURE DEFINITION AMEND-
21 MENT.—Section 301 of the Federal Election Campaign Act
22 of 1971 (2 U.S.C. 431) is amended by striking paragraphs
23 (17) and (18) and inserting the following:

1 “(17)(A) The term ‘independent expenditure’ means
2 an expenditure for an advertisement or other communica-
3 tion that—

4 “(i) contains express advocacy; and

5 “(ii) is made without the participation or co-
6 operation of, or consultation with, a candidate or a
7 candidate’s representative.

8 “(B) The following shall not be considered an inde-
9 pendent expenditure:

10 “(i) An expenditure made by an authorized com-
11 mittee of a candidate for Federal office or a political
12 committee of a political party.

13 “(ii) An expenditure made by a person who,
14 during the election cycle, has made a contribution to
15 a candidate, where the expenditure is in support of
16 that candidate or in opposition to another candidate
17 for the same office.

18 “(iii) An expenditure made by a person, or a po-
19 litical committee established, maintained or controlled
20 by such person, who is required to register, under sec-
21 tion 308 of the Federal Regulation of Lobbying Act
22 (2 U.S.C. 267) or the Foreign Agents Registration Act
23 (22 U.S.C. 611) or any successor Federal law requir-
24 ing a person who is a lobbyist or foreign agent to reg-
25 ister.

1 “(iv) An expenditure made by a person who,
2 during the election cycle, has communicated with or
3 received information from a candidate or a represent-
4 ative of that candidate regarding activities that have
5 the purpose of influencing that candidate’s election to
6 Federal office, where the expenditure is in support of
7 that candidate or in opposition to another candidate
8 for that office.

9 “(v) An expenditure if, in the same election
10 cycle, the person making the expenditure is or has
11 been—

12 “(I) authorized to raise or expend funds on
13 behalf of the candidate or the candidate’s author-
14 ized committees; or

15 “(II) serving as a member, employee, or
16 agent of the candidate’s authorized committees in
17 an executive or policymaking position.

18 “(18) The term ‘express advocacy’ means, when a com-
19 munication is taken as a whole and with limited reference
20 to external events, an expression of support for or opposi-
21 tion to a specific candidate, to a specific group of can-
22 didates, or to candidates of a particular political party, or
23 a suggestion to take action with respect to an election, such
24 as to vote for or against, make contributions to, or partici-
25 pate in campaign activity.”

1 (b) *CONTRIBUTION DEFINITION AMENDMENT.*—*Sec-*
2 *tion 301(8)(A) of the Federal Election Campaign Act of*
3 *1971 (2 U.S.C. 431(8)(A)) is amended—*

4 (1) *in clause (i), by striking “or” after the semi-*
5 *colon at the end;*

6 (2) *in clause (ii), by striking the period at the*
7 *end and inserting “; or”; and*

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

10 “*(iii) any payment or other transaction referred*
11 *to in paragraph (17)(A)(i) that does not qualify as*
12 *an independent expenditure under paragraph*
13 *(17)(A)(ii).”.*

14 ***SEC. 302. REPORTING REQUIREMENTS FOR CERTAIN INDE-***
15 ***PENDENT EXPENDITURES.***

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

18 (1) *in paragraph (2), by striking out the undes-*
19 *ignated matter after subparagraph (C);*

20 (2) *by redesignating paragraph (3) as para-*
21 *graph (8); and*

22 (3) *by inserting after paragraph (2), as amended*
23 *by paragraph (1), the following new paragraphs:*

24 “*(3)(A) Any person (including a political committee)*
25 *making an independent expenditure (including those de-*

1 *scribed in subsection (b)(6)(B)(iii) of this section) aggregat-*
2 *ing \$1,000 or more made after the 20th day, but more than*
3 *24 hours, before any election shall file a report within 24*
4 *hours after such independent expenditure is made.*

5 “(B) Any person (including a political committee)
6 making an independent expenditure aggregating \$5,000 or
7 more made at any time up to and including the 20th day
8 before any election shall file a report within 48 hours after
9 such independent expenditure is made. An additional re-
10 port shall be filed each time independent expenditures ag-
11 gregating \$5,000 are made with respect to the same election
12 as the initial report filed under this section.

13 “(C) Such report shall be filed with the Clerk of the
14 House of Representatives, the Secretary of the Senate, or
15 the Commission, whichever is applicable, and the Secretary
16 of State of the State involved and shall contain the informa-
17 tion required by subsection (b)(6)(B)(iii) of this section, in-
18 cluding whether the independent expenditure is in support
19 of, or in opposition to, the candidate involved. The Clerk
20 of the House of Representatives and the Secretary of the
21 Senate shall as soon as possible (but not later than 4 work-
22 ing hours of the Commission) after receipt of a report trans-
23 mit it to the Commission. Not later than 48 hours after
24 the Commission receives a report, the Commission shall

1 *transmit a copy of the report to each candidate seeking*
2 *nomination or election to that office.*

3 “(D) *For purposes of this section, the term ‘made’ in-*
4 *cludes any payment and any action taken to incur an obli-*
5 *gation for payment.*

6 “(4)(A) *If any person (including a political commit-*
7 *tee) intends to make independent expenditures totaling*
8 *\$5,000 during the 20 days before an election, such person*
9 *shall file a report no later than the 20th day before the elec-*
10 *tion.*

11 “(B) *Such report shall be filed with the Clerk of the*
12 *House of Representatives, the Secretary of the Senate, or*
13 *the Commission, whichever is applicable, and the Secretary*
14 *of State of the State involved, and shall identify each can-*
15 *didate whom the expenditure is actually intended to sup-*
16 *port or to oppose. The Clerk of the House of Representatives*
17 *and the Secretary of the Senate shall as soon as possible*
18 *(but not later than 4 working hours of the Commission)*
19 *after receipt of a report transmit it to the Commission. Not*
20 *later than 48 hours after the Commission receives a report*
21 *under this paragraph, the Commission shall transmit a*
22 *copy of the statement to each candidate identified.*

23 “(5) *The Commission may make its own determina-*
24 *tion that a person has made, or has incurred obligations*
25 *to make, independent expenditures with respect to any Fed-*

1 eral election which in the aggregate exceed the applicable
 2 amounts under paragraph (3) or (4). The Commission shall
 3 notify each candidate in such election of such determination
 4 within 24 hours of making it.

5 “(6) At the same time as an eligible candidate who
 6 has qualified under section 604(b) is notified under para-
 7 graph (3), (4), or (5) with respect to expenditures during
 8 a general election period, the Commission shall certify eligi-
 9 bility to receive benefits under section 604(b).

10 “(7) The Clerk of the House of Representatives and the
 11 Secretary of the Senate shall make any report received
 12 under this subsection available for public inspection and
 13 copying in the same manner as the Commission under sec-
 14 tion 311(a)(4), and shall preserve such statements in the
 15 same manner as the Commission under section 311(a)(5).”.

16 **SEC. 303. BROADCAST AND CABLE INDEPENDENT EXPENDI-**
 17 **TURE COMMUNICATIONS AGAINST ELIGIBLE**
 18 **HOUSE OF REPRESENTATIVES CANDIDATES.**

19 Section 315 of the Communications Act of 1934 (47
 20 U.S.C. 315) is amended—

21 (1) by redesignating subsections (c) and (d) as
 22 subsections (e) and (f), respectively; and

23 (2) by inserting immediately before subsection
 24 (e) as redesignated the following new subsection:

1 “(d) If any person makes an independent expenditure
2 through a communication on a broadcasting station or a
3 cable system (as defined in section 602 of this Act) that
4 expressly advocates the defeat of an eligible House of Rep-
5 resentatives candidate, or the election of the opponent of an
6 eligible House of Representatives candidate (regardless of
7 whether such opponent is an eligible candidate), the licensee
8 or cable operator, as applicable, shall, not later than one
9 week after the communication (or not later than 24 hours
10 after the communication, if the communication occurs not
11 more than one week before the election) transmit to such
12 candidate—

13 “(1) a statement of the date and time of the com-
14 munication;

15 “(2) a script or tape recording of the commu-
16 nication, or an accurate summary of the communica-
17 tion if a script or tape recording is not available; and

18 “(3) an offer of an equal opportunity for such
19 candidate to use the broadcasting station or cable sys-
20 tem to respond to the communication at a charge de-
21 termined in accordance with subsection (b).”.

1 **TITLE IV—CONTRIBUTIONS AND**
2 **EXPENDITURES BY POLITICAL**
3 **PARTY COMMITTEES**

4 **SEC. 401. DEFINITIONS.**

5 (a) *CONTRIBUTION AND EXPENDITURE EXCEP-*
6 *TIONS.—(1) Clause (xii) of section 301(8)(B) of Federal*
7 *Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)(xii))*
8 *is amended—*

9 (A) *by inserting “in connection with volunteer*
10 *activities” after “such committee”; and*

11 (B) *by striking “and” at the end of subclause*
12 *(2), by inserting “and” at the end of subclause (3),*
13 *and by adding at the end the following new subclause:*

14 “(4) *such activities are conducted solely by,*
15 *and any materials are prepared for distribution,*
16 *and are distributed solely by, volunteers;”.*

17 (2) *Clause (ix) of section 301(9)(B) of Federal Election*
18 *Campaign Act of 1971 (2 U.S.C. 431(9)(B)(ix)) is amend-*
19 *ed—*

20 (A) *by inserting “in connection with volunteer*
21 *activities” after “such committee”;*

22 (B) *by striking “and” at the end of subclause*
23 *(2); and*

24 (C) *by adding at the end the following new*
25 *subclause:*

1 “(4) *such activities are conducted solely by,*
2 *and any materials are prepared for distribution*
3 *and are distributed solely by, volunteers; and”.*

4 **(b) GENERIC ACTIVITIES; STATE PARTY GRASSROOTS**
5 *FUND.—Section 301 of Federal Election Campaign Act of*
6 *1971 (2 U.S.C. 431), as amended by section 123, is further*
7 *amended by adding at the end the following new para-*
8 *graphs:*

9 “(29) *The term ‘generic campaign activity’ means any*
10 *campaign activity conducted by a political party to pro-*
11 *mote a political party rather than any Federal or non-Fed-*
12 *eral candidate and which does not identify any Federal or*
13 *non-Federal candidate.*

14 “(30) *The term ‘State Party Grassroots Fund’ means*
15 *a separate segregated fund established and maintained by*
16 *a State committee of a political party solely for purposes*
17 *of making expenditures and other disbursements described*
18 *in section 323(d).”.*

19 **SEC. 402. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
20 **TEES.**

21 **(a) INDIVIDUAL CONTRIBUTIONS TO POLITICAL PARTY**
22 **COMMITTEES.—***Paragraph (1) of section 315(a) of Federal*
23 *Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is*
24 *amended by striking “or” at the end of subparagraph (B),*
25 *by redesignating subparagraph (C) as subparagraph (D),*

1 *and by inserting after subparagraph (B) the following new*
2 *subparagraph:*

3 “(C) to—

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

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

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

18 *(b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS TO*
19 *STATE PARTY.—Paragraph (2) of section 315(a) of Federal*
20 *Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is*
21 *amended by striking “or” at the end of subparagraph (B),*
22 *by redesignating subparagraph (C) as subparagraph (D),*
23 *and by inserting after subparagraph (B) the following new*
24 *subparagraph:*

25 “(C) to—

1 “(i) a State Party Grassroots Fund estab-
2 lished and maintained by a State committee of
3 a political party in any calendar year which, in
4 the aggregate, exceed \$15,000;

5 “(ii) to any other political committee estab-
6 lished and maintained by a State committee of
7 a political party which, in the aggregate, exceed
8 \$5,000,

9 except that the aggregate contributions described in
10 this subparagraph which may be made by a
11 multicandidate political committee to the State Party
12 Grassroots Fund and all committees of a State Com-
13 mittee of a political party in any State in any cal-
14 endar year shall not exceed \$15,000; or”.

15 (c) OVERALL LIMIT.—Paragraph (3) of section 315(a)
16 of Federal Election Campaign Act of 1971 (2 U.S.C.
17 441a(a)(3)) is amended to read as follows:

18 “(3)(A) No individual shall make contributions during
19 any election cycle (as defined in section 301(29)(B)) which,
20 in the aggregate, exceed \$60,000.

21 “(B) No individual shall make contributions during
22 any calendar year—

23 “(i) to all candidates and their authorized politi-
24 cal committees which, in the aggregate, exceed
25 \$25,000; or

1 “(ii) to all political committees established and
2 maintained by State committees of a political party
3 which, in the aggregate, exceed \$20,000.

4 “(C) For purposes of subparagraph (B)(i), any con-
5 tribution made to a candidate or the candidate’s authorized
6 political committees in a year other than the calendar year
7 in which the election is held with respect to which such con-
8 tribution is made shall be treated as made during the cal-
9 endar year in which the election is held.”.

10 **SEC. 403. PROVISIONS RELATING TO NATIONAL, STATE,**
11 **AND LOCAL PARTY COMMITTEES.**

12 (a) *SOFT MONEY OF COMMITTEES OF POLITICAL PAR-*
13 *TIES.—Title III of Federal Election Campaign Act of 1971*
14 *(2 U.S.C. 431 et seq.) is amended by adding after section*
15 *322 the following new section:*

16 **“SEC. 323. POLITICAL PARTY COMMITTEES.**

17 “(a) *LIMITATIONS ON NATIONAL COMMITTEE.—(1) A*
18 *national committee of a political party and the congres-*
19 *sional campaign committees of a political party may not*
20 *solicit or accept contributions or transfers not subject to the*
21 *limitations, prohibitions, and reporting requirements of*
22 *this Act.*

23 “(2) *Paragraph (1) shall not apply to contributions—*

24 “(A) *that—*

1 “(i) are to be transferred to a State commit-
2 tee of a political party and are used solely for
3 activities described in clauses (xi) through (xvii)
4 of paragraph (9)(B) of section 301;

5 “(ii) are described in section
6 301(8)(B)(viii); and

7 “(B) with respect to which contributors have
8 been notified that the funds will be used solely for the
9 purposes described in subparagraph (A).

10 “(b) *ACTIVITIES SUBJECT TO THIS ACT.*—Any
11 amount solicited, received, expended, or disbursed directly
12 or indirectly by a national, State, district, or local commit-
13 tee of a political party with respect to any of the following
14 activities shall be subject to the limitations, prohibitions,
15 and reporting requirements of this Act:

16 “(A) Any get-out-the-vote activity conducted dur-
17 ing a calendar year in which an election for the office
18 of President is held.

19 “(B) Any other get-out-the-vote activity unless
20 subsection (c)(2) applies to the activity.

21 “(C) Any generic campaign activity.

22 “(D) Any activity that identifies or promotes a
23 Federal candidate, regardless of whether—

24 “(i) a State or local candidate is also iden-
25 tified or promoted; or

1 “(ii) any portion of the funds disbursed
2 constitutes a contribution or expenditure under
3 this Act.

4 “(E) Voter registration.

5 “(F) Development and maintenance of voter files
6 during an even-numbered calendar year.

7 “(G) Any other activity that—

8 “(i) significantly affects a Federal election,
9 or

10 “(ii) is not otherwise described in section
11 301(8)(B)(xvii).

12 Any amount spent to raise funds that are used, in whole
13 or in part, in connection with activities described in the
14 preceding paragraphs shall be subject to the limitations,
15 prohibitions, and reporting requirements of this Act.

16 “(c) GET-OUT-THE-VOTE ACTIVITIES BY STATE, DIS-
17 TRICT, AND LOCAL COMMITTEES OF POLITICAL PARTIES.—

18 (1) Except as provided in paragraph (2), any get-out-the-
19 vote activity for a State or local candidate, or for a ballot
20 measure, which is conducted by a State, district, or local
21 committee of a political party shall be subject to the limita-
22 tions, prohibitions, and reporting requirements of this Act.

23 “(2) Paragraph (1) shall not apply to any activity
24 which the State committee of a political party certifies to
25 the Commission is an activity which—

1 “(A) is conducted during a calendar year other
2 than a calendar year in which an election for the of-
3 fice of President is held,

4 “(B) is exclusively on behalf of (and specifically
5 identifies only) one or more State or local candidates
6 or ballot measures, and

7 “(C) does not include any effort or means used
8 to identify or turn out those identified to be support-
9 ers of any Federal candidate (including any activity
10 that is undertaken in coordination with, or on behalf
11 of, a candidate for Federal office).

12 “(d) STATE PARTY GRASSROOTS FUNDS.—(1) A State
13 committee of a political party may make disbursements and
14 expenditures from its State Party Grassroots Fund only
15 for—

16 “(A) any generic campaign activity;

17 “(B) payments described in clauses (v), (x), and
18 (xii) of paragraph (8)(B) and clauses (iv), (viii), and
19 (ix) of paragraph (9)(B) of section 301;

20 “(C) subject to the limitations of section 315(d),
21 payments described in clause (xii) of paragraph
22 (8)(B), and clause (ix) of paragraph (9)(B), of section
23 301 on behalf of candidates other than for President
24 and Vice President;

25 “(D) voter registration; and

1 “(E) development and maintenance of voter files
2 during an even-numbered calendar year.

3 “(2) Notwithstanding section 315(a)(4), no funds may
4 be transferred by a State committee of a political party
5 from its State Party Grassroots Fund to any other State
6 Party Grassroots Fund or to any other political committee,
7 except a transfer may be made to a district or local commit-
8 tee of the same political party in the same State if such
9 district or local committee—

10 “(A) has established a separate segregated fund
11 for the purposes described in paragraph (1); and

12 “(B) uses the transferred funds solely for those
13 purposes.

14 “(e) AMOUNTS RECEIVED BY GRASSROOTS FUND
15 FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1)
16 Any amount received by a State Party Grassroots Fund
17 from a State or local candidate committee for expenditures
18 described in subsection (b) that are for the benefit of that
19 candidate shall be treated as meeting the requirements of
20 subsection (b) and section 304(e) if—

21 “(A) such amount is derived from funds which
22 meet the requirements of this Act with respect to any
23 limitation or prohibition as to source or dollar
24 amount specified in section 315(a) (1)(A) and (2)(A);
25 and

1 “(B) the State or local candidate committee—

2 “(i) maintains, in the account from which
3 payment is made, records of the sources and
4 amounts of funds for purposes of determining
5 whether such requirements are met; and

6 “(ii) certifies that such requirements were
7 met.

8 “(2) For purposes of paragraph (1)(A), in determining
9 whether the funds transferred meet the requirements of this
10 Act described in such paragraph—

11 “(A) a State or local candidate committee’s cash
12 on hand shall be treated as consisting of the funds
13 most recently received by the committee, and

14 “(B) the committee must be able to demonstrate
15 that its cash on hand contains sufficient funds meet-
16 ing such requirements as are necessary to cover the
17 transferred funds.

18 “(3) Notwithstanding paragraph (1)—

19 “(A) any State Party Grassroots Fund receiving
20 any transfer described in paragraph (1) from a State
21 or local candidate committee shall be required to meet
22 the reporting requirements of this Act, and shall sub-
23 mit to the Commission all certifications received, with
24 respect to receipt of the transfer from such candidate
25 committee; and

1 “(B) in the case of a subordinate committee of
2 a State committee which maintains segregated ac-
3 counts which are not commingled with other accounts
4 of the State committee and which subordinate com-
5 mittee is subject to reporting and contribution limita-
6 tion requirements of State law, the certification re-
7 quired by this paragraph may be made by such sub-
8 ordinate committee.

9 “(4) For purposes of this subsection, a State or local
10 candidate committee is a committee established, financed,
11 maintained, or controlled by a candidate for other than
12 Federal office.”.

13 (b) CONTRIBUTIONS AND EXPENDITURES.—(1) Section
14 301(8)(B) of Federal Election Campaign Act of 1971 (2
15 U.S.C. 431(8)(B)) is amended—

16 (A) in clause (viii), by inserting after “Federal
17 office” the following: “or any amounts received by
18 any committee of any National or State political
19 party to support the operation of a television and
20 radio broadcast facility”;

21 (B) by striking “and” at the end of clause (xiii);

22 (C) by striking clause (xiv); and

23 (D) by inserting after clause (xiii) the following
24 new clauses:

1 “(xiv) any amount contributed to a candidate
2 for other than Federal office;

3 “(xv) any amount received or expended to pay
4 the costs of a State or local political convention;

5 “(xvi) any payment for campaign activities that
6 are exclusively on behalf of (and specifically identify
7 only) State or local candidates and do not identify
8 any Federal candidate, and that are not activities de-
9 scribed in section 323(b) (without regard to para-
10 graph (6)(B)) or section 323(c)(1);

11 “(xvii) any payment for administrative expenses
12 of a State or local committee of a political party, in-
13 cluding expenses for—

14 “(I) overhead, including party meetings;

15 “(II) staff (other than individuals devoting
16 a significant amount of their time to elections
17 for Federal office and individuals engaged in
18 conducting get-out-the-vote activities for a Fed-
19 eral election); and

20 “(III) conducting party elections or cau-
21 cuses;

22 “(xviii) any payment for research pertaining
23 solely to State and local candidates and issues;

24 “(xix) any payment for development and main-
25 tenance of voter files other than during the 1-year pe-

1 *riod ending on the date during an even-numbered cal-*
2 *endar year on which regularly scheduled general elec-*
3 *tions for Federal office occur; and*

4 *“(xx) any payment for any other activity which*
5 *is solely for the purpose of influencing, and which*
6 *solely affects, an election for non-Federal office and*
7 *which is not an activity described in section 323(b)*
8 *(without regard to paragraph (6)(B)) or section*
9 *323(c)(1).”.*

10 *(2) Section 301(9)(B) of Federal Election Campaign*
11 *Act of 1971 (2 U.S.C. 431(9)(B)), as amended by section*
12 *401, is further amended by striking “and” at the end of*
13 *clause (ix), by striking the period at the end of clause (x)*
14 *and inserting a semicolon, and by adding at the end the*
15 *following new clauses:*

16 *“(xi) any amounts expended by any committee*
17 *of any National or State political party to support*
18 *the operation of a television and radio broadcast fa-*
19 *cility;*

20 *“(xii) any amount contributed to a candidate for*
21 *other than Federal office;*

22 *“(xiii) any amount received or expended to pay*
23 *the costs of a State or local political convention;*

24 *“(xiv) any payment for campaign activities that*
25 *are exclusively on behalf of (and specifically identify*

1 *only) State or local candidates and do not identify*
2 *any Federal candidate, and that are not activities de-*
3 *scribed in section 323(b) (without regard to para-*
4 *graph (6)(B)) or section 323(c)(1);*

5 *“(xv) any payment for administrative expenses*
6 *of a State or local committee of a political party, in-*
7 *cluding expenses for—*

8 *“(I) overhead, including party meetings;*

9 *“(II) staff (other than individuals devoting*
10 *a significant amount of their time to elections*
11 *for Federal office and individuals engaged in*
12 *conducting get-out-the-vote activities for a Fed-*
13 *eral election); and*

14 *“(III) conducting party elections or cau-*
15 *cuses;*

16 *“(xvi) any payment for research pertaining sole-*
17 *ly to State and local candidates and issues;*

18 *“(xvii) any payment for development and main-*
19 *tenance of voter files other than during the 1-year pe-*
20 *riod ending on the date during an even-numbered cal-*
21 *endar year on which regularly scheduled general elec-*
22 *tions for Federal office occur; and*

23 *“(xviii) any payment for any other activity*
24 *which is solely for the purpose of influencing, and*
25 *which solely affects, an election for non-Federal office*

1 and which is not an activity described in section
2 323(b) (without regard to paragraph (6)(B)) or sec-
3 tion 323(c)(1).”.

4 (c) *LIMITATION APPLIED AT NATIONAL LEVEL.*—
5 Paragraph (3) of section 315(d) of Federal Election Cam-
6 paign Act of 1971 (2 U.S.C. 441a(d)(3)) is amended by
7 adding at the end the following new flush sentence:
8 “Notwithstanding the preceding sentence, the applicable
9 congressional campaign committee of a political party shall
10 make the expenditures described in this paragraph which
11 are authorized to be made by a national or State committee
12 with respect to a candidate in any State unless it allocates
13 all or a portion of such expenditures to either or both of
14 such committees.”.

15 (d) *LIMITATIONS APPLY FOR ENTIRE ELECTION*
16 *CYCLE.*—Section 315(d)(1) of Federal Election Campaign
17 Act of 1971 (2 U.S.C. 441a(d)(1)) is amended by adding
18 at the end the following new sentence: “Each limitation
19 under the following paragraphs shall apply to the entire
20 election cycle for an office.”.

21 **SEC. 404. REPORTING REQUIREMENTS.**

22 (a) *REPORTING REQUIREMENTS.*—Section 304 of Fed-
23 eral Election Campaign Act of 1971 (2 U.S.C. 434) is
24 amended by adding at the end the following new subsection:

1 “(d) *POLITICAL COMMITTEES.*—(1) *The national com-*
2 *mittee of a political party and any congressional campaign*
3 *committee of a political party, and any subordinate com-*
4 *mittee of either, shall report all receipts and disbursements*
5 *during the reporting period, whether or not in connection*
6 *with an election for Federal office.*

7 “(2) *A political committee (not described in paragraph*
8 *(1)) to which section 323 applies shall report all receipts*
9 *and disbursements including separate schedules for receipts*
10 *and disbursements for State Grassroots Funds described in*
11 *section 301(30).*

12 “(3) *Any political committee to which section 323 ap-*
13 *plies shall include in its report under paragraph (1) or (2)*
14 *the amount of any transfer described in section 323(d)(2)*
15 *and shall itemize such amounts to the extent required by*
16 *section 304(b)(3)(A).*

17 “(4) *Any political committee to which paragraph (1)*
18 *or (2) does not apply shall report any receipts or disburse-*
19 *ments which are used in connection with a Federal election.*

20 “(5) *If a political committee has receipts or disburse-*
21 *ments to which this subsection applies from any person ag-*
22 *gregating in excess of \$200 for any calendar year, the politi-*
23 *cal committee shall separately itemize its reporting for such*
24 *person in the same manner as subsection (b) (3)(A), (5),*
25 *or (6).*

1 “(6) Reports required to be filed by this subsection
2 shall be filed for the same time periods required for political
3 committees under subsection (a).”.

4 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
5 301(8) of the Federal Election Campaign Act of 1971 (2
6 U.S.C. 431(8)) is amended by adding at the end the follow-
7 ing:

8 “(C) The exclusion provided in clause (viii) of sub-
9 paragraph (B) shall not apply for purposes of any require-
10 ment to report contributions under this Act, and all such
11 contributions aggregating in excess of \$200 shall be re-
12 ported.”.

13 (c) REPORTS BY STATE COMMITTEES.—Section 304 of
14 Federal Election Campaign Act of 1971 (2 U.S.C. 434), as
15 amended by subsection (a), is amended by adding at the
16 end the following new subsection:

17 “(e) FILING OF STATE REPORTS.—In lieu of any re-
18 port required to be filed by this Act, the Commission may
19 allow a State committee of a political party to file with
20 the Commission a report required to be filed under State
21 law if the Commission determines such reports contain sub-
22 stantially the same information.”.

23 (d) OTHER REPORTING REQUIREMENTS.—

24 (1) AUTHORIZED COMMITTEES.—Paragraph (4)
25 of section 304(b) of Federal Election Campaign Act of

1 1971 (2 U.S.C. 434(b)(4)) is amended by striking
2 “and” at the end of subparagraph (H), by inserting
3 “and” at the end of subparagraph (I), and by adding
4 at the end the following new subparagraph:

5 “(J) in the case of an authorized committee,
6 disbursements for the primary election, the gen-
7 eral election, and any other election in which the
8 candidate participates;”.

9 (2) NAMES AND ADDRESSES.—Subparagraph (A)
10 of section 304(b)(5) of Federal Election Campaign
11 Act of 1971 (2 U.S.C. 434(b)(5)(A)) is amended—

12 (A) by striking “within the calendar year”,

13 and

14 (B) by inserting “, and the election to
15 which the operating expenditure relates” after
16 “operating expenditure”.

17 **SEC. 405. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
18 **AND OFFICEHOLDERS.**

19 Section 315 of Federal Election Campaign Act of 1971
20 (2 U.S.C. 441a), as amended by section 201, is further
21 amended by adding at the end the following new subsection:

22 “(o) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
23 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CERTAIN
24 POLITICAL COMMITTEES.—(1) For purposes of this Act, a
25 candidate for Federal office, an individual holding Federal

1 *office, or any agent of the candidate or individual may not*
2 *solicit funds to, or receive funds on behalf of, any Federal*
3 *candidate or political committee, or any party or other*
4 *multicandidate committee organized under State law to*
5 *support more than one candidate for non-Federal office—*

6 “(A) *which are to be expended in connection*
7 *with any election for Federal office unless such funds*
8 *are subject to the limitations, prohibitions, and re-*
9 *quirements of this Act; or*

10 “(B) *which are to be expended in connection*
11 *with any election for other than Federal office unless*
12 *such funds are not in excess of amounts permitted*
13 *with respect to Federal candidates and political com-*
14 *mittees under subsections (a) (1) and (2), and are not*
15 *from sources prohibited by such subsections with re-*
16 *spect to elections to Federal office.*

17 *The limitations of this subsection do not apply to the solici-*
18 *tation or receipt of funds by a Federal candidate on behalf*
19 *of any committee or organization organized primarily for*
20 *purposes other than the election of particular candidates for*
21 *public office.*

22 “(2)(A) *The aggregate amount which a person de-*
23 *scribed in subparagraph (B) may solicit from a*
24 *multicandidate political committee for State committees de-*
25 *scribed in subsection (a)(1)(C) (including subordinate com-*

1 *mittees) for any calendar year shall not exceed the dollar*
2 *amount in effect under subsection (a)(2)(B) for the calendar*
3 *year.*

4 *“(B) A person is described in this subparagraph if*
5 *such person is a candidate for Federal office, an individual*
6 *holding Federal office, an agent of such a candidate or indi-*
7 *vidual, or any national, State, district, or local committee*
8 *of a political party (including a subordinate committee)*
9 *and any agent of such a committee.*

10 *“(3) The personal appearance or participation by a*
11 *candidate for Federal office or individual holding Federal*
12 *office in any fundraising event conducted by a committee*
13 *of a political party or a candidate for other than Federal*
14 *office shall not be treated as a solicitation for purposes of*
15 *paragraph (1) if such candidate or individual does not re-*
16 *ceive, or make disbursements from, any funds resulting*
17 *from such activity.*

18 *“(4) Paragraph (1) shall not apply to the solicitation*
19 *or receipt of funds, or disbursements, by an individual who*
20 *is a candidate for other than Federal office if such activity*
21 *is permitted under State law.*

22 *“(5) For purposes of this subsection, an individual*
23 *shall be treated as holding Federal office if such individ-*
24 *ual—*

25 *“(A) holds a Federal office; or*

1 “(B) holds a position described in level I of the
2 Executive Schedule under section 5312 of title 5,
3 United States Code.”.

4 **SEC. 406. INCREASE IN AUTHORIZED POLITICAL COMMIT-**
5 **TEE CONTRIBUTIONS TO CONGRESSIONAL**
6 **CAMPAIGN COMMITTEES.**

7 Section 315 of the Federal Election Campaign Act of
8 1971 (2 U.S.C. 441a), as amended by sections 201 and 405
9 is further amended by adding at the end the following new
10 subsection:

11 “(p) AUTHORIZED POLITICAL COMMITTEE CONTRIBU-
12 TIONS TO CONGRESSIONAL CAMPAIGN COMMITTEE.—For
13 purposes of the limitations imposed by this section and not-
14 withstanding any other provision of this section, the author-
15 ized political committees of a House of Representatives or
16 United States Senate candidate shall not make contribu-
17 tions aggregating more than \$10,000 in any calendar year
18 to the congressional campaign committees of a political
19 party.”.

20 **SEC. 407. INCREASE IN THE AMOUNT THAT**
21 **MULTICANDIDATE POLITICAL COMMITTEES**
22 **MAY CONTRIBUTE TO NATIONAL POLITICAL**
23 **PARTY COMMITTEES.**

24 Section 315(a)(2)(B) of the Federal Election Cam-
25 paign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended by

1 *striking out “\$15,000” and inserting in lieu thereof*
2 *“\$25,000”.*

3 **SEC. 408. MERCHANDISING AND AFFINITY CARDS.**

4 *Section 316 of the Federal Election Campaign Act of*
5 *1971 (2 U.S.C. 441b) is amended by adding at the end the*
6 *following new subsection:*

7 *“(c) Notwithstanding the provisions of this section or*
8 *any other provision of this Act to the contrary, an amount*
9 *received from a corporation (including a State-chartered or*
10 *national bank) by any political committee (other than a*
11 *separate segregated fund established under section*
12 *316(b)(2)(C)) shall be deemed to meet the limitations and*
13 *prohibitions of this Act if such amount represents a com-*
14 *mission or royalty on the sale of goods or services, or on*
15 *the issuance of credit cards, by such corporation and if—*

16 *“(1) such goods, services, or credit cards are pro-*
17 *moted by or in the name of the political committee*
18 *as a means of contributing to or supporting the polit-*
19 *ical committee and are offered to consumers using the*
20 *name of the political committee or using a message,*
21 *design, or device created and owned by the political*
22 *committee, or both;*

23 *“(2) the corporation is in the business of mer-*
24 *chandising such goods or services, or of issuing such*
25 *credit cards;*

1 “(3) the royalty or commission has been offered
2 by the corporation to the political committee in the
3 ordinary course of the corporation’s business and on
4 the same terms and conditions as those on which such
5 corporation offers royalties or commissions to non-
6 political entities;

7 “(4) all revenue on which the commission or roy-
8 alty is based represents, or results from, sales to or
9 fees paid by individual consumers in the ordinary
10 course of retail transactions;

11 “(5) the costs of any unsold inventory of goods
12 are ultimately borne by the political committee in ac-
13 cordance with rules to be prescribed by the Commis-
14 sion; and

15 “(6) except for any royalty or commission per-
16 mitted to be paid by this subsection, no goods, serv-
17 ices, or anything else of value is provided by such cor-
18 poration to the political committee, provided that
19 such corporation may advance or finance costs or ex-
20 tend credit in connection with the manufacture and
21 distribution of goods, provision of services, or issuance
22 of credit cards pursuant to this subsection if and to
23 the extent such advance, financing, or extension is
24 undertaken in the ordinary course of the corporation’s
25 business and is undertaken on similar terms by such

1 *corporation in its transactions with nonpolitical enti-*
2 *ties in like circumstances.”.*

3 **SEC. 409. INCREASED LIMITATION AMOUNT FOR CERTAIN**
4 **CONTRIBUTIONS TO POLITICAL COMMITTEES**
5 **OF STATE POLITICAL PARTIES.**

6 *Section 315(a)(1)(B) of the Federal Election Cam-*
7 *paign Act of 1971 (2 U.S.C. 441a(a)(1)(B)) is amended—*

8 *(1) by inserting after “(B)” the following: “not-*
9 *withstanding any other provision of law,”; and*

10 *(2) by inserting after “national” the following:*
11 *“or State”.*

12 **TITLE V—CONTRIBUTIONS**

13 **SEC. 501. RESTRICTIONS ON BUNDLING.**

14 *Section 315(a)(8) of the Federal Election Campaign*
15 *Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read as*
16 *follows:*

17 *“(8)(A) No person, either directly or indirectly, may*
18 *act as a conduit or intermediary for any contribution to*
19 *a candidate.*

20 *“(B)(i) Nothing in this section shall prohibit—*

21 *“(I) joint fundraising conducted in accordance*
22 *with rules prescribed by the Commission by 2 or more*
23 *candidates; or*

24 *“(II) fundraising for the benefit of a candidate*
25 *that is conducted by another candidate.*

1 “(ii) No other person may conduct or otherwise par-
2 ticipate in joint fundraising activities with or on behalf of
3 any candidate.

4 “(C) The term ‘conduit or intermediary’ means a per-
5 son who transmits a contribution to a candidate or can-
6 didate’s committee or representative from another person,
7 except that—

8 “(i) a House of Representatives candidate or
9 representative of a House of Representatives can-
10 didate is not a conduit or intermediary for the pur-
11 pose of transmitting contributions to the candidate’s
12 principal campaign committee or authorized commit-
13 tee;

14 “(ii) a professional fundraiser is not a conduit
15 or intermediary, if the fundraiser is compensated for
16 fundraising services at the usual and customary rate;

17 “(iii) a volunteer hosting a fundraising event at
18 the volunteer’s home, in accordance with section
19 301(8)(b), is not a conduit or intermediary for the
20 purposes of that event; and

21 “(iv) an individual is not a conduit or
22 intermediary for the purpose of transmitting a con-
23 tribution from the individual’s spouse.

24 For purposes of this section a conduit or intermediary
25 transmits a contribution when receiving or otherwise taking

1 *possession of the contribution and forwarding it directly to*
2 *the candidate or the candidate's committee or representa-*
3 *tive.*

4 “(D) For purposes of this section, the term ‘representa-

5 *tive’—*
6 “(i) shall mean a person who is expressly au-

7 *thorized by the candidate to engage in fundraising,*
8 *and who, in the case of an individual, is not acting*
9 *as an officer, employee, or agent of any other person;*

10 “(ii) shall not include—
11 “(I) a political committee with a connected
12 *organization;*

13 “(II) a political party;

14 “(III) a partnership or sole proprietorship;

15 “(IV) an organization prohibited from mak-

16 *ing contributions under section 316; or*
17 “(V) a person required to register under sec-

18 *tion 308 of the Federal Regulation of Lobbying*
19 *Act (2 U.S.C. 267) or the Foreign Agents Reg-*
20 *istration Act (22 U.S.C. 611) or any successor*
21 *Federal law requiring a person who is a lobbyist*
22 *or a foreign agent to register.*

23 “(E) For purposes of this section, the term ‘acting as
24 *an officer, employee, or agent of any other person’ includes*
25 *the following activities by a salaried officer, employee, or*

1 *paid agent of a person described in subparagraph*
2 *(D)(ii)(IV):*

3 “(i) *Soliciting contributions to a particular can-*
4 *didate in the name of, or by using the name of, such*
5 *a person.*

6 “(ii) *Soliciting contributions to a particular*
7 *candidate using other than the incidental resources of*
8 *such a person.*

9 “(iii) *Soliciting contributions to a particular*
10 *candidate under the direction or control of other sala-*
11 *ried officers, employees, or paid agents of such a per-*
12 *son.*

13 *For purposes of this subparagraph, the term ‘agent’ shall*
14 *include any person (other than individual members of an*
15 *organization described in subparagraph (b)(4)(C) of section*
16 *316) acting on authority or under the direction of such or-*
17 *ganization.”.*

18 **SEC. 502. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
19 **ING AGE.**

20 *Section 315 of the Federal Election Campaign Act of*
21 *1971 (2 U.S.C. 441a), as amended by sections 201, 405,*
22 *and 406, is further amended by adding at the end the fol-*
23 *lowing new subsection:*

24 “(q) *For purposes of this section, any contribution by*
25 *an individual who—*

1 “(1) is a dependent of another individual; and
2 “(2) has not, as of the time of such contribution,
3 attained the legal age for voting for elections to Fed-
4 eral office in the State in which such individual re-
5 sides,
6 shall be treated as having been made by such other individ-
7 ual. If such individual is the dependent of another individ-
8 ual and such other individual’s spouse, the contribution
9 shall be allocated among such individuals in the manner
10 determined by them.”.

11 **SEC. 503. PROHIBITION OF ACCEPTANCE BY A CANDIDATE**
12 **OF CASH CONTRIBUTIONS FROM ANY ONE**
13 **PERSON AGGREGATING MORE THAN \$100.**

14 Section 321 of the Federal Election Campaign Act of
15 1971 (2 U.S.C. 441g) is amended by inserting “; and no
16 candidate or authorized committee of a candidate shall ac-
17 cept from any one person,” after “make”.

18 **SEC. 504. CONTRIBUTIONS TO CANDIDATES FROM STATE**
19 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
20 **TIES TO BE AGGREGATED.**

21 Section 315(a) of the Federal Election Campaign Act
22 of 1971 (2 U.S.C. 441a(a)) is amended by adding at the
23 end the following new paragraph:

24 “(9) Notwithstanding paragraph (5)(B), a candidate
25 for Federal office may not accept, with respect to an elec-

1 *tion, any contribution from a State or local committee of*
2 *a political party (including any subordinate committee of*
3 *such committee), if such contribution, when added to the*
4 *total of contributions previously accepted from all such*
5 *committees of that political party, exceeds the limitation*
6 *on contributions to a candidate under paragraph (2)(A).”.*

7 **SEC. 505. PROHIBITION OF FALSE REPRESENTATION TO SO-**
8 **LICIT CONTRIBUTIONS.**

9 *Section 322 of the Federal Election Campaign Act of*
10 *1971 (2 U.S.C. 441h) is amended—*

11 *(1) by inserting after “SEC. 322.” the following:*

12 *“(a)”; and*

13 *(2) by adding at the end the following:*

14 *“(b) No person shall solicit contributions by falsely*
15 *representing himself as a candidate or as a representative*
16 *of a candidate, a political committee, or a political party.”.*

17 **SEC. 506. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN**
18 **WORKERS FROM THE DEFINITION OF THE**
19 **TERM “CONTRIBUTION”.**

20 *Section 301(8)(B) of the Federal Election Campaign*
21 *Act of 1971 (2 U.S.C. 431(8)(B)), as amended by section*
22 *403, is further amended—*

23 *(1) in clause (xix), by striking “and” after the*
24 *semicolon at the end;*

1 (2) in clause (xx), by striking the period at the
2 end and inserting: “; and”; and

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

5 “(xxi) any advance voluntarily made on behalf
6 of an authorized committee of a candidate by an in-
7 dividual in the normal course of such individual’s re-
8 sponsibilities as a volunteer for, or employee of, the
9 committee, if the advance is reimbursed by the com-
10 mittee within 10 days after the date on which the ad-
11 vance is made, and the value of advances on behalf
12 of a committee does not exceed \$500 with respect to
13 an election.”.

14 **SEC. 507. AMENDMENT TO SECTION 316 OF THE FEDERAL**
15 **ELECTION CAMPAIGN ACT OF 1971.**

16 Section 316(b)(2) of the Federal Election Campaign
17 Act of 1971 (2 U.S.C. 441b(b)(2)) is amended—

18 (1) by striking “(2) For” and inserting “(2)(A)
19 Except as provided in subparagraph (B), for”;

20 (2) by redesignating subparagraphs (A), (B),
21 and (C) as clauses (i), (ii), and (iii), respectively;
22 and

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

24 “(B) Expenditures by a corporation or labor organiza-
25 tion for candidate appearances, candidate debates, voter

1 *guides, or voting records directed to the general public shall*
2 *be considered contributions unless—*

3 “(i) *in the case of a candidate appearance, the*
4 *appearance takes place on corporate or labor organi-*
5 *zation premises or at a meeting or convention of the*
6 *corporation or labor organization, and all candidates*
7 *for election to that office are notified that they may*
8 *make an appearance under the same or similar con-*
9 *ditions;*

10 “(ii) *in the case of a candidate debate, the orga-*
11 *nization staging the debate is either an organization*
12 *described in section 301 whose broadcasts or publica-*
13 *tions are supported by commercial advertising, sub-*
14 *scriptions or sales to the public, including a non-*
15 *commercial educational broadcaster, or a nonprofit*
16 *organization exempt from Federal taxation under sec-*
17 *tion 501(c)(3) or 501(c)(4) of the Internal Revenue*
18 *Code of 1986 that does not endorse, support, oppose*
19 *candidates or political parties and any such debate*
20 *features at least 2 candidates competing for election*
21 *to that office;*

22 “(iii) *in the case of a voter guide, the guide is pre-*
23 *pared and distributed by a corporation or labor orga-*
24 *nization and consists of questions posed to at least*
25 *two candidates for election to that office; and*

1 “(iv) in the case of a voting record, the record
2 is prepared and distributed by a corporation or labor
3 organization and such preparation and distribution
4 occurs either without consultation with any candidate
5 whose record is included or in consultation with all
6 such candidates;
7 provided that no communication made by a corporation or
8 labor organization in connection with the candidate ap-
9 pearance, candidate debate, voter guide, or voting record
10 contains express advocacy, or that no structure or format
11 of the candidate appearance, candidate debate, voter guide,
12 or voting record, nor any preparation or distribution of any
13 such guide or record, reflects a purpose of influencing the
14 election of a particular candidate.”.

15 **SEC. 508. PROHIBITION OF CERTAIN ELECTION-RELATED**
16 **ACTIVITIES OF FOREIGN NATIONALS.**

17 Section 319 of the Federal Election Campaign Act of
18 1971 (2 U.S.C. 441e) is amended by adding at the end the
19 following new subsections:

20 “(c) A foreign national shall not directly or indirectly
21 direct, control, influence or participate in any person’s elec-
22 tion-related activities, such as the making of contributions
23 or expenditures in connection with elections for any local,
24 State, or Federal office or the administration of a political
25 committee.

1 “(d) A separate segregated fund established in accord-
2 ance with section 316(b)(2)(C) involved in the making of
3 contributions or expenditures in connection with elections
4 for any Federal, State, or local office shall include the fol-
5 lowing statement on all printed materials produced for the
6 purpose of soliciting contributions:

7 “‘It is unlawful for a foreign national to make
8 any contribution of money or other thing of value to
9 a political committee.’”.

10 **TITLE VI—REPORTING** 11 **REQUIREMENTS**

12 **SEC. 601. CHANGE IN CERTAIN REPORTING FROM A CAL-** 13 **ENDAR YEAR BASIS TO AN ELECTION CYCLE** 14 **BASIS.**

15 Paragraphs (2), (3), (4), (6), and (7) of section 304(b)
16 of the Federal Election Campaign Act of 1971 (2 U.S.C.
17 434(b)(2), (3), (4), (6), and (7)), are amended by inserting
18 after “calendar year” each place it appears the following:
19 “(election cycle, in the case of an authorized committee of
20 a candidate for Federal office)”.

21 **SEC. 602. PERSONAL AND CONSULTING SERVICES.**

22 (a) *REPORTING BY POLITICAL COMMITTEES.*—Section
23 304(b)(5)(A) of the Federal Election Campaign Act of 1971
24 (2 U.S.C. 434(b)(5)(A)), as amended by section 405, is fur-
25 ther amended by inserting before the semicolon at the end

1 *the following: “, except that if a person to whom an expendi-*
2 *ture is made is merely providing personal or consulting*
3 *services and is in turn making expenditures to other per-*
4 *sons (not including employees) who provide goods or serv-*
5 *ices to the candidate or his or her authorized committees,*
6 *the name and address of such other person, together with*
7 *the date, amount and purpose of such expenditure shall also*
8 *be disclosed”.*

9 *(b) RECORDKEEPING AND REPORTING BY PERSONS TO*
10 *WHOM EXPENDITURES ARE PASSED THROUGH.—Section*
11 *302 of Federal Election Campaign Act of 1971 (2 U.S.C.*
12 *432) is amended by adding at the end the following new*
13 *subsection:*

14 *“(j) The person described in section 304(b)(5)(A) who*
15 *is providing personal or consulting services and who is in*
16 *turn making expenditures to other persons (not including*
17 *employees) for goods or services provided to a candidate*
18 *shall maintain records of and shall provide to a political*
19 *committee the information necessary to enable the political*
20 *committee to report the information described in section*
21 *304(b)(5)(A).”.*

1 **SEC. 603. REDUCTION IN THRESHOLD FOR REPORTING OF**
2 **CERTAIN INFORMATION BY PERSONS OTHER**
3 **THAN POLITICAL COMMITTEES.**

4 *Section 304(b)(3)(A) of the Federal Election Cam-*
5 *paign Act of 1971 (2 U.S.C. 434(b)(3)(A)) is amended by*
6 *striking “\$200” and inserting “\$100”.*

7 **SEC. 604. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

8 *Section 311(a) of the Federal Election Campaign Act*
9 *of 1971 (2 U.S.C. 438(a)) is amended—*

10 *(1) by striking “and” at the end of paragraph*
11 *(9);*

12 *(2) by striking the period at the end of para-*
13 *graph (10) and inserting “; and”; and*

14 *(3) by adding at the end the following new para-*
15 *graph:*

16 *“(11) maintain computerized indices of contribu-*
17 *tions of \$200 or more.”.*

18 **SEC. 605. IDENTIFICATION.**

19 *Section 301(13)(A) of the Federal Election Campaign*
20 *Act of 1971 (2 U.S.C. 431(13)(A)) is amended by striking*
21 *“mailing address” and inserting “permanent residence ad-*
22 *dress”.*

23 **SEC. 606. POLITICAL COMMITTEES.**

24 *Section 303(b) of the Federal Election Campaign Act*
25 *of 1971 (2 U.S.C. 433(b)) is amended—*

1 (1) in paragraph (2), by inserting “, and if the
2 organization or committee is incorporated, the State
3 of incorporation” after “committee”; and

4 (2) by striking the “name and address of the
5 treasurer” in paragraph (4) and inserting “the names
6 and addresses of the officers, including the treasurer”.

7 **SEC. 607. USE OF CANDIDATES’ NAMES.**

8 Section 302(e)(4) of the Federal Election Campaign
9 Act of 1971 (2 U.S.C. 432(e)(4)) is amended to read as fol-
10 lows:

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

14 “(B) A political committee that is not an authorized
15 committee shall not—

16 “(i) include the name of any candidate in its
17 name, or

18 “(ii) except in the case of a national, State, or
19 local party committee, use the name of any candidate
20 in any activity on behalf of such committee in such
21 a context as to suggest that the committee is an au-
22 thorized committee of the candidate or that the use of
23 the candidate’s name has been authorized by the can-
24 didate.”.

1 **SEC. 608. REPORTING REQUIREMENTS.**

2 *Section 304 of the Federal Election Campaign Act of*
3 *1971 (2 U.S.C. 434), as amended by section 404, is further*
4 *amended by adding at the end the following new subsection:*

5 *“(f) WAIVER.—The Commission may relieve any cat-*
6 *egory of political committees of the obligation to file 1 or*
7 *more reports required by this section, or may change the*
8 *due dates of such reports, if it determines that such action*
9 *is consistent with the purposes of this Act. The Commission*
10 *may waive requirements to file reports in accordance with*
11 *this subsection through a rule of general applicability or,*
12 *in a specific case, may waive or change the due date of*
13 *a report by notifying all political committees affected.”.*

14 **SEC. 609. SIMULTANEOUS REGISTRATION OF CANDIDATE**
15 **AND CANDIDATE’S PRINCIPAL CAMPAIGN**
16 **COMMITTEE.**

17 *Section 303(a) of Federal Election Campaign Act of*
18 *1971 (2 U.S.C. 433(a)) is amended in the first sentence by*
19 *striking “no later than 10 days after designation” and in-*
20 *serting “on the date of its designation”.*

21 **SEC. 610. DISCLOSURES BY ORGANIZATIONS THAT ENGAGE**
22 **IN LOBBYING.**

23 *(a) DISCLOSURES REQUIRED.—Title III of the Federal*
24 *Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as*
25 *amended by section 403, is further amended by adding after*
26 *section 323 the following new section:*

1 **“SEC. 324. DISCLOSURES BY ORGANIZATIONS THAT EN-**
2 **GAGE IN LOBBYING.**

3 “(a) *IN GENERAL.*—Any organization that—

4 “(1) *is described in paragraph (4) or (6) of sec-*
5 *tion 501(c) of the Internal Revenue Code of 1986 and*
6 *is exempt from tax under section 501(a) of such Code,*
7 *and*

8 “(2) *conducts lobbying activities or pays another*
9 *person compensation to conduct lobbying activities on*
10 *its behalf,*

11 *shall provide the same information with respect to contribu-*
12 *tions made to such organization, in the same manner and*
13 *to the same extent as is required for political committees*
14 *under this Act.*

15 “(b) *DEFINITION.*—As used in this section—

16 “(1) *the term ‘lobbying activities’ means lobby-*
17 *ing contacts and efforts in support of such contacts,*
18 *including—*

19 “(A) *preparation and planning activities;*

20 “(B) *research and other background work*
21 *that is intended for use in lobbying contacts;*

22 “(C) *coordination with the lobbying activi-*
23 *ties of others; and*

24 “(D) *grass roots lobbying communications*
25 *(as defined in regulations implementing section*
26 *4911(c)(3) of the Internal Revenue Code of 1986)*

1 to the extent that such communications are made
2 in direct support of lobbying contacts;

3 “(2) the term ‘lobbying contact’—

4 “(A) means any oral or written commu-
5 nication with a Member of Congress, an officer
6 or employee of the House of Representatives or
7 the Senate, or an officer or employee of the exec-
8 utive branch that is made with regard to—

9 “(i) the formulation, modification, or
10 adoption of Federal legislation (including
11 legislative proposals); or

12 “(ii) the formulation, modification, or
13 adoption of a Federal rule, regulation, Ex-
14 ecutive order, or any other program, policy,
15 or position of the United States Govern-
16 ment; and

17 “(B) does not include any communication
18 that—

19 “(i) is made by public officials acting
20 in their official capacity;

21 “(ii) is made by representatives of a
22 media organization if the purpose of the
23 communication is gathering and dissemi-
24 nating news and information to the public;
25 or

1 “(iii) consists of testimony given before
2 a committee or subcommittee of the Con-
3 gress, or submitted for inclusion in the pub-
4 lic record of a hearing conducted by any
5 such committee or subcommittee or by a
6 Federal agency; and

7 “(3) the term ‘Member of Congress’ means a Sen-
8 ator or a Representative in, or Delegate or Resident
9 Commissioner to, the Congress.”.

10 (b) DEFINITION.—Section 301(8)(A) of Federal Elec-
11 tion Campaign Act of 1971 (2 U.S.C. 431(8)(A)), as
12 amended by section 301, is further amended—

13 (1) in clause (ii) by striking “or” after the semi-
14 colon;

15 (2) in clause (iii) by striking the period and in-
16 serting “; or”; and

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

19 “(iv) any gift, subscription, loan, advance, or de-
20 posit of money or anything of value made by any per-
21 son to an organization to which section 323 applies.”.

1 **TITLE VII—FEDERAL ELECTION**
2 **COMMISSION**

3 **SEC. 701. APPEARANCE AS AMICI CURIAE.**

4 *Section 306(f) of the Federal Election Campaign Act*
5 *of 1971 (2 U.S.C. 437c(f)) is amended by striking out para-*
6 *graph (4) and inserting in lieu thereof the following new*
7 *paragraph:*

8 “(4)(A) *Notwithstanding the provisions of paragraph*
9 *(2), or of any other provision of law, the Commission is*
10 *authorized to appear on its own behalf in any action related*
11 *to the exercise of its statutory duties or powers in any court*
12 *as either a party or as amicus curiae, either—*

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

14 “(ii) *by counsel whom it may appoint, on a tem-*
15 *porary basis as may be necessary for such purpose,*
16 *without regard to the provisions of title 5, United*
17 *States Code, governing appointments in the competi-*
18 *tive service, and whose compensation it may fix with-*
19 *out regard to the provisions of chapter 51 and sub-*
20 *chapter III of chapter 53 of such title. The compensa-*
21 *tion of counsel so appointed on a temporary basis*
22 *shall be paid out of any funds otherwise available to*
23 *pay the compensation of employees of the Commis-*
24 *sion.*

1 *payers shall be exposed to these announcements. The Federal*
2 *Election Commission shall attempt to utilize a variety of*
3 *communications media, including television, cable, and*
4 *radio networks, and individual television, cable, and radio*
5 *stations, to provide similar announcements.*

6 “(b) *GROSS RATING POINT.*—The term ‘gross rating
7 *point*’ is a measure of the total gross weight delivered. It
8 *is the sum of the ratings for individual programs. Since*
9 *a household rating period is 1 percent of the coverage base,*
10 *200 gross rating points means 2 messages a week per aver-*
11 *age household.”*

12 **SEC. 703. AUTHORITY TO SEEK INJUNCTION.**

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

15 (1) *by adding at the end the following new para-*
16 *graph:*

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

20 “(i) *there is a substantial likelihood that a viola-*
21 *tion of this Act or of chapter 95 or chapter 96 of the*
22 *Internal Revenue Code of 1986 is occurring or is*
23 *about to occur;*

1 “(ii) the failure to act expeditiously will result
2 in irreparable harm to a party affected by the poten-
3 tial violation;

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

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

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

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

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

21 **SEC. 704. EXPEDITED PROCEDURES.**

22 Section 309(a) of the Federal Election Campaign Act
23 of 1971 (2 U.S.C. 437g(a)), as amended by section 703, is
24 further amended by adding at the end the following new
25 paragraph:

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

5 “(B) If the Commission determines, on the basis of
6 facts alleged in the complaint and other facts available to
7 it, that there is clear and convincing evidence that a viola-
8 tion of this Act or of chapter 95 or 96 of the Internal Reve-
9 nue Code of 1986 has occurred, is occurring, or is about
10 to occur and it appears that the requirements for relief stat-
11 ed in paragraph (13)(A)(ii), (iii), and (iv) are met, the
12 Commission may—

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

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

23 “(C) If the Commission determines, on the basis of
24 facts alleged in the complaint and other facts available to

1 *it, that the complaint is clearly without merit, the Commis-*
2 *sion may—*

3 “(i) *order expedited proceedings, shortening the*
4 *time periods for proceedings under paragraphs (1),*
5 *(2), (3), and (4) as necessary to allow the matter to*
6 *be resolved in sufficient time before the election to*
7 *avoid harm or prejudice to the interests of the parties;*
8 *or*

9 “(ii) *if the Commission determines that there is*
10 *insufficient time to conduct proceedings before the*
11 *election, summarily dismiss the complaint.”.*

12 **SEC. 705. INSOLVENT POLITICAL COMMITTEES.**

13 (a) *IN GENERAL.*—*Section 303(d) of the Federal Elec-*
14 *tion Campaign Act of 1971 (2 U.S.C. 433(d)) is amended*
15 *by adding at the end the following new paragraph:*

16 “(3) *Proceedings by the Commission under paragraph*
17 *(2) constitute the sole means, to the exclusion of proceedings*
18 *under title 11, United States Code, by which a political*
19 *committee that is determined by the Commission to be insol-*
20 *vent may compromise its debts, liquidate its assets, and ter-*
21 *minate its existence.”.*

22 (b) *PROCEDURES.*—*Section 303(d)(2) of the Federal*
23 *Election Campaign Act of 1971 (2 U.S.C. 433(d)(2)) is*
24 *amended by striking out “Nothing” and all that follows*

1 through “procedures” and inserting in lieu thereof “The
2 Commission shall establish procedures to allow”.

3 **TITLE VIII—BALLOT INITIATIVE**
4 **COMMITTEES**

5 **SEC. 801. DEFINITIONS RELATING TO BALLOT INITIATIVES.**

6 Section 301 of the Federal Election Campaign Act of
7 1971 (2 U.S.C. 431), as amended by sections 123 and 401,
8 is further amended by adding at the end the following new
9 paragraphs:

10 “(31) The term ‘ballot initiative political committee’
11 means any committee, club, association, or other group of
12 persons which makes ballot initiative expenditures or re-
13 ceives ballot initiative contributions in excess of \$1,000 dur-
14 ing a calendar year.

15 “(32) The term ‘ballot initiative contribution’ means
16 any gift, subscription, loan, advance, or deposit of money
17 or anything of value made by any person for the purpose
18 of influencing the outcome of any referendum or other ballot
19 initiative voted on at the State, commonwealth, territory,
20 or District of Columbia level which involves—

21 “(A) the election of candidates for Federal office
22 and the permissible terms of those so elected; or

23 “(B) the regulation of speech or press, or any
24 other right guaranteed under the United States Con-
25 stitution.

1 “(33) The term ‘ballot initiative expenditure’ means
2 any purchase, payment, distribution, loan, advance, deposit
3 or gift of money or anything of value made by any person
4 for the purpose of influencing the outcome of any referen-
5 dum or other ballot initiative voted on at the state, com-
6 monwealth, territory, or District of Columbia level which
7 involves—

8 “(A) the election of candidates for Federal office
9 and the permissible terms of those so elected; or

10 “(B) the regulation of speech or press, or any
11 other right guaranteed under the United States Con-
12 stitution.”.

13 **SEC. 802. AMENDMENT TO DEFINITION OF CONTRIBUTION.**

14 Section 301(8)(B) of the Federal Election Campaign
15 Act of 1971 (2 U.S.C. 431(8)(B)), as amended by sections
16 403 and 506, is further amended—

17 (1) in clause (xx), by striking “and” after the
18 semicolon;

19 (2) in clause (xxi), by striking the period and
20 inserting “; and”; and

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

23 “(xxii) a ballot initiative contribution.”.

1 **SEC. 803. AMENDMENT TO DEFINITION OF EXPENDITURE.**

2 *Section 301(9)(B) of the Federal Election Campaign*
3 *Act of 1971 (2 U.S.C. 431(9)(B)), as amended by sections*
4 *401 and 403, is further amended—*

5 *(1) in clause (xvii), by striking “and” after the*
6 *semicolon;*

7 *(2) in clause (xviii), by striking the period and*
8 *inserting “; and”; and*

9 *(3) by adding at the end the following new*
10 *clause:*

11 *“(xix) a ballot initiative expenditure.”.*

12 **SEC. 804. ORGANIZATION OF BALLOT INITIATIVE COMMIT-**
13 **TEES.**

14 *Section 302 of the Federal Election Campaign Act of*
15 *1971 (2 U.S.C. 432), as amended by section 602, is further*
16 *amended by adding at the end the following new subsection:*

17 *“(k) Every ballot initiative committee shall comply*
18 *with the organizational and recordkeeping requirements of*
19 *this section, with respect to all ballot initiative contribu-*
20 *tions and ballot initiative expenditures.”.*

21 **SEC. 805. REGISTRATION OF BALLOT INITIATIVE COMMIT-**
22 **TEES.**

23 *Section 303 of the Federal Election Campaign Act of*
24 *1971 (2 U.S.C. 433) is amended by adding at the end the*
25 *following new subsection:*

1 **SEC. 808. PROHIBITION ON CONTRIBUTIONS AND EXPENDI-**
2 **TURES BY BALLOT INITIATIVE COMMITTEES.**

3 *Section 315 of the Federal Election Campaign Act of*
4 *1971 (2 U.S.C. 441a), as amended by sections 201, 405,*
5 *406, and 502, is further amended by adding at the end the*
6 *following new subsection:*

7 *“(r) Notwithstanding the provisions of subsection*
8 *(a)(1), it shall be unlawful for any ballot initiative commit-*
9 *tee to make any contribution or expenditure for the purpose*
10 *of influencing any election for Federal office.”.*

11 **TITLE IX—MISCELLANEOUS**

12 **SEC. 901. BROADCAST RATES AND PREEMPTION.**

13 *Section 315 of the Communications Act of 1934 (47*
14 *U.S.C. 315) is amended—*

15 *(1) in subsection (b)(1)—*

16 *(A) by striking “forty-five” and inserting*
17 *“30”;*

18 *(B) by striking “sixty” and inserting “45”;*
19 *and*

20 *(C) by striking “lowest unit charge of the*
21 *station for the same class and amount of time for*
22 *the same period” and insert “lowest charge of the*
23 *station for the same amount of time for the same*
24 *period”; and*

25 *(2) by inserting after subsection (b) the following*
26 *new subsection:*

1 “(c)(1) Except as provided in paragraph (2), a licensee
2 shall not preempt the use, during any period specified in
3 subsection (b)(1), of a broadcasting station by a legally
4 qualified candidate for public office who has purchased and
5 paid for such use pursuant to the provisions of subsection
6 (b)(1).

7 “(2) If a program to be broadcast by a broadcasting
8 station is preempted because of circumstances beyond the
9 control of the broadcasting station, any candidate advertis-
10 ing spot scheduled to be broadcast during that program
11 may also be preempted.”.

12 **SEC. 902. CAMPAIGN ADVERTISING AMENDMENTS.**

13 Section 318 of the Federal Election Campaign Act of
14 1971 (2 U.S.C. 441d) is amended—

15 (1) in the matter before paragraph (1) of sub-
16 section (a), by striking “Whenever” and inserting
17 “Whenever a political committee makes a disburse-
18 ment for the purpose of financing any communication
19 through any broadcasting station, newspaper, maga-
20 zine, outdoor advertising facility, mailing, or any
21 other type of general public political advertising, or
22 whenever”;

23 (2) in the matter before paragraph (1) of sub-
24 section (a), by striking “an expenditure” and insert-
25 ing “a disbursement”;

1 (3) in the matter before paragraph (1) of sub-
2 section (a), by striking “direct”;

3 (4) in paragraph (3) of subsection (a), by insert-
4 ing after “name” the following “and permanent street
5 address”; and

6 (5) by adding at the end the following new sub-
7 sections:

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

10 “(1) of sufficient type size to be clearly readable
11 by the recipient of the communication;

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

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

17 “(d)(1) Any communication described in subsection
18 (a)(1) or subsection (a)(2) that is provided to and distrib-
19 uted by any broadcasting station or cable system (as such
20 terms are defined in sections 315 and 602 (respectively) of
21 the Communications Act of 1934) shall include, in addition
22 to the requirements of subsections (a)(1) and (a)(2), an
23 audio statement by the candidate that identifies the can-
24 didate and states that the candidate has approved the com-
25 munication.

1 “(2) If a communication described in paragraph (1)
2 contains any visual images, the statement required by para-
3 graph (1) shall—

4 “(A) appear in a clearly readable manner with
5 a reasonable degree of color contrast between the back-
6 ground and the printed statement, for a period of at
7 least 4 seconds at the end of the communication; and

8 “(B) be accompanied by a clearly identifiable
9 photographic or similar image of the candidate.

10 “(e) Any communication described in subsection (a)(3)
11 that is provided to and distributed by any broadcasting sta-
12 tion or cable system (as such terms are defined in sections
13 315 and 602 (respectively) of the Communications Act of
14 1934) shall include, in addition to the requirements of those
15 subsections, in a clearly spoken manner, the following state-
16 ment—

17 ‘ is responsible for the content of
18 this advertisement.’

19 with the blank to be filled in with the name of the political
20 committee or other person paying for the communication
21 and the name of any connected organization of the payor;
22 and, if such communication contains visual images, shall
23 also appear in a clearly readable manner with a reasonable
24 degree of color contrast between the background and the
25 printed statement, for a period of at least 4 seconds.”.

1 **SEC. 903. TELEPHONE VOTING BY PERSONS WITH DISABIL-**
2 **ITIES.**

3 (a) *STUDY OF SYSTEMS TO PERMIT PERSONS WITH*
4 *DISABILITIES TO VOTE BY TELEPHONE.*—

5 (1) *IN GENERAL.*—*The Federal Election Com-*
6 *mission shall conduct a study to determine the fea-*
7 *sibility of developing a system or systems by which*
8 *persons with disabilities may be permitted to vote by*
9 *telephone.*

10 (2) *CONSULTATION.*—*The Federal Election Com-*
11 *mission shall conduct the study described in para-*
12 *graph (1) in consultation with State and local elec-*
13 *tion officials, representatives of the telecommuni-*
14 *cations industry, representatives of persons with dis-*
15 *abilities, and other concerned members of the public.*

16 (3) *CRITERIA.*—*The system or systems developed*
17 *pursuant to paragraph (1) shall—*

18 (A) *propose a description of the kinds of*
19 *disabilities that impose such difficulty in travel*
20 *to polling places that a person with a disability*
21 *who may desire to vote is discouraged from un-*
22 *dertaking such travel;*

23 (B) *propose procedures to identify persons*
24 *who are so disabled; and*

25 (C) *describe procedures and equipment that*
26 *may be used to ensure that—*

1 (i) only those persons who are entitled
2 to use the system are permitted to use it;

3 (ii) the votes of persons who use the
4 system are recorded accurately and remain
5 secret;

6 (iii) the system minimizes the possibil-
7 ity of vote fraud; and

8 (iv) the system minimizes the financial
9 costs that State and local governments
10 would incur in establishing and operating
11 the system.

12 (4) *REQUESTS FOR PROPOSALS.*—In developing
13 a system described in paragraph (1), the Federal
14 Election Commission may request proposals from pri-
15 vate contractors for the design of procedures and
16 equipment to be used in the system.

17 (5) *PHYSICAL ACCESS.*—Nothing in this section
18 is intended to supersede or supplant efforts by State
19 and local governments to make polling places phys-
20 ically accessible to persons with disabilities.

21 (6) *DEADLINE.*—The Federal Election Commis-
22 sion shall submit to Congress the study required by
23 this section not later than 1 year after the date of en-
24 actment of this Act.

1 **SEC. 904. TRANSFER OF PRESIDENTIAL ELECTION FINANC-**
2 **ING PROVISIONS TO FEDERAL ELECTION**
3 **CAMPAIGN ACT OF 1971.**

4 (a) *GENERAL RULE.*—*The Federal Election Campaign*
5 *Act of 1971 is amended by adding at the end the following:*

6 **“TITLE VIII—FINANCING OF**
7 **PRESIDENTIAL ELECTION**
8 **CAMPAIGNS**

9 **“Subtitle A—Presidential Election**
10 **Campaign Fund**

11 **“Subtitle B—Presidential Primary**
12 **Matching Payment Account”.**

13 (b) *TRANSFER OF PROVISIONS FROM INTERNAL REVE-*
14 *NUE CODE.*—

15 (1) *Sections 9001 through 9012 of the Internal*
16 *Revenue Code of 1986 are hereby transferred to the*
17 *Federal Election Campaign Act of 1971, inserted*
18 *after the heading for subtitle A of title VIII of such*
19 *Act (as added by subsection (a)), and redesignated as*
20 *sections 801 through 812, respectively.*

21 (2) *Sections 9031 through 9042 of the Internal*
22 *Revenue Code of 1986 are hereby transferred to the*
23 *Federal Election Campaign Act of 1971, inserted*
24 *after the heading for subtitle B of title VIII of such*
25 *Act, and redesignated as sections 831 through 842, re-*
26 *spectively.*

1 (c) *CONFORMING AMENDMENTS TO INTERNAL REVE-*
2 *NUE CODE.*—*The Internal Revenue Code of 1986 is amend-*
3 *ed—*

4 (1) *by striking “section 9006(a)” in section*
5 *6096(a) and inserting “section 806(a) of the Federal*
6 *Election Campaign Act of 1971”;*

7 (2) *by striking subtitle H, and*

8 (3) *by striking the item relating to subtitle H in*
9 *the table of subtitles.*

10 (d) *CONFORMING AMENDMENTS TO TRANSFERRED*
11 *SECTIONS.*—

12 (1) *Each section transferred under subsection (b)*
13 *is amended by striking each reference contained there-*
14 *in to another provision transferred and redesignated*
15 *by subsection (b) and inserting a reference to the re-*
16 *designated provision.*

17 (2) *Title VIII of the Federal Election Campaign*
18 *Act of 1971 (as amended by the foregoing provisions*
19 *of this section) is amended—*

20 (A) *by striking “This chapter” each place it*
21 *appears and inserting “This subtitle”;*

22 (B) *by striking “this chapter” each place it*
23 *appears and inserting “this subtitle”;*

24 (C) *by striking “of the Federal Election*
25 *Campaign Act of 1971” each place it appears,*

1 (D) by striking “chapter 96” in section
2 803(e) and inserting “subtitle B”,

3 (E) by striking “section 6096” in sections
4 806(a), 808(a), and 810(c) and inserting “sec-
5 tion 6096 of the Internal Revenue Code of 1986”,
6 and

7 (F) by striking “this subtitle” in section
8 810(c) and inserting “this title”.

9 (e) SAVINGS PROVISIONS.—

10 (1) CONTINUATION OF FUNDS.—The fund estab-
11 lished under section 806(a) of the Federal Election
12 Campaign Act of 1971 (as amended by this section)
13 shall be treated for all purposes of law as a continu-
14 ation of the fund established by section 9006(a) of the
15 Internal Revenue Code of 1986 (as in effect on the
16 day before the date of the enactment of this Act). A
17 similar rule shall apply to the accounts required
18 under sections 808 and 837 of the Federal Election
19 Campaign Act of 1971 (as so amended).

20 (2) REFERENCES TO TRANSFERRED PROVI-
21 SIONS.—Any reference in any law, rule, regulation,
22 or other official paper to a provision of the Internal
23 Revenue Code of 1986 which was transferred under
24 subsection (b) shall be treated as reference to the ap-

1 *propriate provision of the Federal Election Campaign*
2 *Act of 1971.*

3 **TITLE X—HOUSE OF REP-**
4 **RESENTATIVES CAMPAIGN**
5 **ELECTION FUNDING AND RE-**
6 **LATED MATTERS**

7 **SEC. 1001. MAKE DEMOCRACY WORK ELECTION FUND.**

8 *The Federal Election Campaign Act of 1971 (2 U.S.C.*
9 *431 et seq.), as amended by section 121, is further amended*
10 *by adding at the end the following new title:*

11 **“TITLE VII—MAKE DEMOCRACY**
12 **WORK ELECTION FUND**

13 **“SEC. 701. ESTABLISHMENT AND OPERATION OF THE FUND.**

14 “(a) *IN GENERAL.*—*There is hereby established on the*
15 *books of the Treasury of the United States a special fund*
16 *to be known as the Make Democracy Work Election Fund*
17 *(hereinafter in this title referred to as the ‘Fund’). The*
18 *amounts designated for the Fund shall remain available*
19 *without fiscal limitation for purposes of providing benefits*
20 *under title VI and making expenditures for the administra-*
21 *tion of the Fund. The Secretary shall maintain such ac-*
22 *counts in the Fund as may be required by this title or which*
23 *the Secretary determines to be necessary to carry out the*
24 *provisions of this title.*

1 “(b) *PAYMENTS UPON CERTIFICATION.*—Upon receipt
2 of a certification from the Commission under section 604,
3 except as provided in subsection (c), the Secretary shall
4 issue within 48 hours to an eligible candidate the amount
5 of voter communication vouchers certified by the Commis-
6 sion to the eligible candidate out of the Fund.

7 “(c) *REDUCTIONS IN PAYMENTS IF FUNDS INSUFFI-*
8 *CIENT.*—If on June 1, 1996, or on June 1 of a Federal elec-
9 tion year thereafter, the Secretary determines that the mon-
10 eys in the account are not, or may not be, sufficient to sat-
11 isfy the full entitlement of all eligible candidates, the Sec-
12 retary shall withhold from such payment the amount nec-
13 essary to assure that each eligible candidate will receive a
14 pro rata share of the candidate’s full entitlement. Amounts
15 so withheld shall be paid when the Secretary determines
16 that there are sufficient moneys in the account to pay such
17 amounts, or portions thereof, to all eligible candidates from
18 whom amounts have been withheld, but, if there are not suf-
19 ficient moneys in the account to satisfy the full entitlement
20 of an eligible candidate, the amounts so withheld shall be
21 paid in such manner that each eligible candidate receives
22 a pro rata share of the full entitlement, except that—

23 “(1) in special elections, a candidate shall re-
24 ceive the full entitlement not a pro rata share; and

1 “(2) a candidate who receives vouchers from the
2 Fund in response to an independent expenditure as
3 provided in section 604(f) shall receive the full entitle-
4 ment not a pro rata share.

5 “(d) NOTIFICATION.—The Secretary shall notify the
6 Commission and each eligible candidate by registered mail
7 of any reduction of any payment by reason of subsection
8 (c).

9 “(e) REDEEMABILITY OF VOUCHERS.—Voter commu-
10 nication vouchers issued and used as provided in this sec-
11 tion shall be redeemable at face value by the Secretary
12 through the facilities of the Treasury of the United States.
13 The Secretary shall issue regulations providing for the re-
14 demption of voter communication vouchers through finan-
15 cial institutions which are insured by the Federal Deposit
16 Insurance Corporation or the Federal Savings and Loan
17 Insurance Corporation. No financial institution may im-
18 pose a fee or other charge for the redemption of voter com-
19 munication vouchers.”.

20 **TITLE XI—EFFECTIVE DATES;**
21 **SEVERABILITY**

22 **SEC. 1101. EFFECTIVE DATE.**

23 Except as otherwise provided in this Act, the amend-
24 ments made by, and the provisions of, this Act shall take
25 effect on the date of the enactment of this Act but shall not

1 *apply with respect to activities in connection with any elec-*
2 *tion occurring before January 1, 1995.*

3 **SEC. 1102. SEVERABILITY.**

4 *(a) Except as provided in subsection (b), if any provi-*
5 *sion of this Act (including any amendment made by this*
6 *Act), or the application of any such provision to any person*
7 *or circumstance, is held invalid, the validity of any other*
8 *provision of this Act, or the application of such provision*
9 *to other persons and circumstances, shall not be affected*
10 *thereby.*

11 *(b) If title VI of the Federal Election Campaign Act*
12 *of 1971, section 315(i) through (j) (as added by this Act),*
13 *or section 701 (as added by this Act), or any part thereof,*
14 *is held to be invalid, all provisions of, and amendments*
15 *made by title VI, section 315(i) through (j) of this Act, or*
16 *section 701 of this Act shall be treated as invalid.*

17 **SEC. 1103. EXPEDITED REVIEW OF CONSTITUTIONAL IS-**
18 **SUES.**

19 *(a) DIRECT APPEAL TO SUPREME COURT.—An appeal*
20 *may be taken directly to the Supreme Court of the United*
21 *States from any final judgment, decree, or order issued by*
22 *any court finding any provision of this Act, or amendment*
23 *made by this Act to be unconstitutional.*

24 *(b) ACCEPTANCE AND EXPEDITION.—The Supreme*
25 *Court shall, if it has not previously ruled on the question*

1 *addressed in the ruling below, accept jurisdiction over, ad-*
 2 *vance on the docket, and expedite the appeal to the greatest*
 3 *extent possible.*

4 **SEC. 1104. REGULATIONS.**

5 *The Federal Election Commission shall prescribe any*
 6 *regulations required to carry out the provisions of this Act*
 7 *within 12 months after the effective date of this Act.*

8 **SEC. 1105. BUDGET NEUTRALITY.**

9 *The provisions of this Act (other than this section)*
 10 *shall not be effective and shall not be considered to be an*
 11 *estimate required under the procedures specified in section*
 12 *252(d) of the Balanced Budget and Emergency Deficit Con-*
 13 *trol Act of 1985 until the enactment of revenue legislation*
 14 *effectuating section 701 of the Federal Election Campaign*
 15 *Act of 1971.*

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