

103^D CONGRESS
1ST SESSION

H. R. 874

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

FEBRUARY 4, 1993

Mr. CARDIN introduced the following bill; which was referred jointly to the Committees on House Administration, Energy and Commerce, and Post Office and Civil Service

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; AMENDMENT OF CAMPAIGN ACT;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the “Con-
6 gressional Campaign Reform Act of 1993”.

1 (b) AMENDMENT OF FECA.—When used in this Act,
 2 the term “FECA” means the Federal Election Campaign
 3 Act of 1971 (2 U.S.C. 431 et seq.).

4 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

- Sec. 101. Provisions applicable to eligible House of Representatives candidates.
 Sec. 102. Limitations on political committee and large donor contributions that may be accepted by House of Representatives candidates.
 Sec. 103. Excess funds of incumbents who are candidates for the House of Representatives.

Subtitle B—General Provisions

- Sec. 121. Broadcast rates and preemption.
 Sec. 122. Extension of reduced third-class mailing rates to eligible House of Representatives candidates.
 Sec. 123. Reporting requirements for certain independent expenditures.
 Sec. 124. Campaign advertising amendments.
 Sec. 125. Definitions.
 Sec. 126. Provisions relating to franked mass mailings.
 Sec. 127. Debate Requirement.

TITLE II—INDEPENDENT EXPENDITURES

- Sec. 201. Clarification of definitions relating to independent expenditures.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

- Sec. 301. Personal contributions and loans.
 Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

- Sec. 311. Contributions to political party committees.
 Sec. 312. Provisions relating to national, State, and local party committees.
 Sec. 313. Restrictions on fundraising by candidates and officeholders.
 Sec. 314. Reporting requirements.

TITLE IV—CONTRIBUTIONS

- Sec. 401. Contributions through intermediaries and conduits.
 Sec. 402. Contributions by dependents not of voting age.
 Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.
 Sec. 404. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.

TITLE V—REPORTING REQUIREMENTS

- Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 502. Personal and consulting services.
- Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.
- Sec. 504. Computerized indices of contributions.

TITLE VI—FEDERAL ELECTION COMMISSION

- Sec. 601. Use of candidates' names.
- Sec. 602. Reporting requirements.
- Sec. 603. Provisions relating to the general counsel of the Commission.
- Sec. 604. Enforcement.
- Sec. 605. Penalties.
- Sec. 606. Random audits.
- Sec. 607. Prohibition of false representation to solicit contributions.
- Sec. 608. Regulations relating to use of non-Federal money.

TITLE VII—BALLOT INITIATIVE COMMITTEES

- Sec. 701. Definitions relating to ballot initiatives.
- Sec. 702. Amendment to definition of contribution.
- Sec. 703. Amendment to definition of expenditure.
- Sec. 704. Organization of ballot initiative committees.
- Sec. 705. Ballot initiative committee reporting requirements.
- Sec. 706. Enforcement amendment.
- Sec. 707. Prohibition of contributions in the name of another.
- Sec. 708. Limitation on contribution of currency.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Prohibition of leadership committees.
- Sec. 802. Polling data contributed to candidates.
- Sec. 803. Debates by general election candidates who receive amounts from the Presidential Election Campaign Fund.
- Sec. 804. Prohibition of certain election-related activities of foreign nationals.
- Sec. 805. Amendment to FECA section 316.
- Sec. 806. Telephone voting by persons with disabilities.
- Sec. 807. Prohibition of use of Government aircraft in connection with elections for Federal office.
- Sec. 808. Sense of the Congress.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

- Sec. 901. Effective date.
- Sec. 902. Budget neutrality.
- Sec. 903. Severability.
- Sec. 904. Expedited review of constitutional issues.

1 **TITLE I—CONTROL OF CON-**
2 **GRESSIONAL CAMPAIGN**
3 **SPENDING**

4 **Subtitle A—Expenditure Limita-**
5 **tions, Contribution Limitations,**
6 **and Matching Funds for Eligible**
7 **House of Representatives Can-**
8 **didates**

9 **SEC. 101. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE**
10 **OF REPRESENTATIVES CANDIDATES.**

11 (a) IN GENERAL.—FECA is amended by adding at
12 the end the following new title:

13 **“TITLE V—EXPENDITURE LIM-**
14 **TATIONS, CONTRIBUTION**
15 **LIMITATIONS, AND MATCH-**
16 **ING FUNDS FOR ELIGIBLE**
17 **HOUSE OF REPRESENTA-**
18 **TIVES CANDIDATES**

19 **“SEC. 501. EXPENDITURE LIMITATIONS.**

20 “(a) IN GENERAL.—An eligible House of Representa-
21 tives candidate may not, in an election cycle, make expend-
22 itures aggregating more than \$600,000, of which not more
23 than \$400,000 may be expended in the general election
24 period.

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

3 “(1) RUNOFF ELECTION AMOUNT.—In addition
4 to the expenditures under subsection (a), an eligible
5 House of Representatives candidate who is a can-
6 didate in a runoff election may make expenditures
7 aggregating not more than 20 percent of the general
8 election period limit under subsection (a).

9 “(2) SPECIAL ELECTION AMOUNT.—An eligible
10 House of Representatives candidate who is a can-
11 didate in a special election may make expenditures
12 aggregating not more than \$400,000 with respect to
13 the special election.

14 “(c) CLOSELY CONTESTED PRIMARY.—If, as deter-
15 mined by the Commission, an eligible House of Represent-
16 atives candidate in a contested primary election wins that
17 primary election by a margin of 10 percentage points or
18 less, subject to the general election period limitation in
19 subsection (a), the candidate may make additional expend-
20 itures of not more than \$150,000 in the general election
21 period. The additional expenditures shall be from con-
22 tributions described in section 503(h) and payments de-
23 scribed in section 504(f).

24 “(d) NONPARTICIPATING OPPONENT PROVISIONS.—

1 “(1) LIMITATION EXCEPTION.—The limitations
2 imposed by subsections (a) and (b) do not apply in
3 the case of an eligible House of Representatives can-
4 didate if any other candidate seeking nomination or
5 election to that office—

6 “(A) is not an eligible House of Represent-
7 atives candidate; and

8 “(B) makes expenditures in excess of 80
9 percent of the general election period limitation
10 specified in subsection (a).

11 “(2) CONTINUED ELIGIBILITY AND ADDITIONAL
12 MATCHING FUNDS.—An eligible House of Represent-
13 atives candidate referred to in paragraph (1)—

14 “(A) shall continue to be eligible for all
15 benefits under this title; and

16 “(B) shall receive matching funds without
17 regard to the ceiling under section 504(a).

18 “(3) REPORTING REQUIREMENT.—A candidate
19 for the office of Representative in, or Delegate or
20 Resident Commissioner to, the Congress—

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

23 “(B) who—

1 “(i) receives contributions in excess of
2 50 percent of the general election period
3 limitation specified in subsection (a)(1); or

4 “(ii) makes expenditures in excess of
5 80 percent of such limit;

6 shall report that the threshold has been reached to
7 the Clerk of the House of Representatives not later
8 than 48 hours after reaching the threshold. The
9 Clerk shall transmit a report received under this
10 paragraph to the Commission as soon as possible
11 (but no later than 4 working hours of the Commis-
12 sion) after such receipt, and the Commission shall
13 transmit a copy to each other candidate in the elec-
14 tion within 48 hours of receipt.

15 “(e) EXEMPTION FOR CERTAIN COSTS AND
16 TAXES.—Payments for legal and accounting compliance
17 costs, and Federal, State, or local taxes with respect to
18 a candidate’s authorized committees, shall not be consid-
19 ered in the computation of amounts subject to limitation
20 under this section.

21 “(f) EXEMPTION FOR FUNDRAISING COSTS.—

22 “(1) Any costs incurred by an eligible House of
23 Representatives candidate or his or her authorized
24 committee in connection with the solicitation of con-
25 tributions on behalf of such candidate shall not be

1 considered in the computation of amounts subject to
2 limitation under this section to the extent that the
3 aggregate of such costs does not exceed 5 percent of
4 the limitation under subsection (a) or subsection (b).

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

13 “(g) CIVIL PENALTIES.—

14 “(1) LOW AMOUNT OF EXCESS EXPENDI-
15 TURES.—Any eligible House of Representatives can-
16 didate who makes expenditures that exceed a limita-
17 tion under subsection (a) or subsection (b) by 2.5
18 percent or less shall pay to the Commission an
19 amount equal to the amount of the excess expendi-
20 tures.

21 “(2) MEDIUM AMOUNT OF EXCESS EXPENDI-
22 TURES.—Any eligible House of Representatives can-
23 didate who makes expenditures that exceed a limita-
24 tion under subsection (a) or subsection (b) by more
25 than 2.5 percent and less than 5 percent shall pay

1 to the Commission an amount equal to three times
2 the amount of the excess expenditures.

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

11 “(h) INDEXING.—The dollar amounts specified in
12 subsections (a), (b), (c), and (e) shall be adjusted at the
13 beginning of each calendar year based on the increase in
14 the price index determined under section 315(c), except
15 that, for the purposes of such adjustment, the base period
16 shall be calendar year 1993.

17 **“SEC. 502. STATEMENT OF PARTICIPATION; CONTINUING**
18 **ELIGIBILITY.**

19 “(a) IN GENERAL.—The Commission shall determine
20 whether a candidate is in compliance with this title and,
21 by reason of such compliance, is eligible to receive benefits
22 under this title. Such determination shall—

23 “(1) in the case of an initial determination, be
24 based on a statement of participation submitted by
25 the candidate; and

1 “(2) in the case of a determination of continu-
2 ing eligibility, be based on relevant additional infor-
3 mation submitted in such form and manner as the
4 Commission may require.

5 “(b) FILING.—The statement of participation re-
6 ferred to in subsection (a) shall be filed with the Clerk
7 of the House of Representatives not later than January
8 31 of the election year or on the date on which the can-
9 didate files a statement of candidacy, whichever is later.
10 The Clerk of the House of Representatives shall transmit
11 a statement received under this section to the Commission
12 as soon as possible.

13 **“SEC. 503. CONTRIBUTION LIMITATIONS.**

14 “(a) ELIGIBLE HOUSE OF REPRESENTATIVES CAN-
15 DIDATE LIMITATION.—An eligible House of Representa-
16 tives candidate may not, with respect to an election cycle,
17 accept contributions aggregating in excess of \$600,000.

18 “(b) NONPARTICIPATING OPPONENT PROVISIONS.—
19 The limitations imposed by subsection (a) do not apply
20 in the case of an eligible House of Representatives can-
21 didate if any other candidate seeking nomination or elec-
22 tion to that office—

23 “(1) is not an eligible House of Representatives
24 candidate; and

1 “(2) receives contributions in excess of 50 per-
2 cent of the general election period limitation speci-
3 fied in section 501(a).

4 “(c) TRANSFER PROVISIONS.—

5 “(1) If an eligible House of Representatives
6 candidate transfers any amount from an election
7 cycle to a later election cycle, the limitation with re-
8 spect to the candidate under subsection (a) for the
9 later cycle shall be an amount equal to the difference
10 between the amount specified in that subsection and
11 the amount transferred.

12 “(2) If an eligible House of Representatives
13 candidate transfers any amount from an election
14 cycle to a later election cycle, each limitation with
15 respect to the candidate under section 315(j) for the
16 later cycle shall be one-third of the difference be-
17 tween the applicable amount specified in subsection
18 (a) and the amount transferred.

19 “(d) RUNOFF AMOUNT.—In addition to the contribu-
20 tions under subsection (a), an eligible House of Represent-
21 atives candidate who is a candidate in a runoff election
22 may accept contributions aggregating not more than 20
23 percent of the general election expenditure limit under sec-
24 tion 501(a) in the general election period. Of such con-
25 tributions, one-half may be from political committees and

1 one-half may be from persons referred to in section
2 315(j)(2).

3 “(e) PERSONAL CONTRIBUTIONS.—

4 “(1) IN GENERAL.—An eligible House of Rep-
5 resentatives candidate may not, with respect to an
6 election cycle, make contributions to his or her own
7 campaign totaling more than \$50,000 from the per-
8 sonal funds of the candidate. The amount that the
9 candidate may accept from persons referred to in
10 section 315(j)(2) shall be reduced by the amount of
11 contributions made under the preceding sentence.
12 Contributions from the personal funds of a can-
13 didate may not be matched under section 504.

14 “(2) LIMITATION EXCEPTION.—The limitation
15 imposed by paragraph (1) does not apply in the case
16 of an eligible House of Representatives candidate if
17 any other candidate—

18 “(A) is not an eligible House of Represent-
19 atives candidate; and

20 “(B) receives contributions in excess of 50
21 percent of the general election period limitation
22 specified in section 501(a).

23 “(3) TRIPLE MATCH.—An eligible House of
24 Representatives candidate, whose opponent makes
25 contributions to his or her own campaign in excess

1 of 50 percent of the general election period limita-
2 tion specified in section 501(a), shall receive \$3 in
3 matching funds for each \$1 certified by the Commis-
4 sion as matchable for the eligible candidate.

5 “(f) CIVIL PENALTIES.—

6 “(1) LOW AMOUNT OF EXCESS CONTRIBU-
7 TIONS.—Any eligible House of Representatives can-
8 didate who accepts contributions that exceed the lim-
9 itation under subsection (a) by 2.5 percent or less
10 shall refund the excess contributions to the persons
11 who made the contributions.

12 “(2) MEDIUM AMOUNT OF EXCESS CONTRIBU-
13 TIONS.—Any eligible House of Representatives can-
14 didate who accepts contributions that exceed a limi-
15 tation under subsection (a) by more than 2.5 per-
16 cent and less than 5 percent shall pay to the Com-
17 mission an amount equal to three times the amount
18 of the excess contributions.

19 “(3) LARGE AMOUNT OF EXCESS CONTRIBU-
20 TIONS.—Any eligible House of Representatives can-
21 didate who accepts contributions that exceed a limi-
22 tation under subsection (a) by 5 percent or more
23 shall pay to the Commission an amount equal to
24 three times the amount of the excess contributions

1 plus a civil penalty in an amount determined by the
2 Commission.

3 “(g) EXEMPTION FOR CERTAIN COSTS.—(1) Any
4 amount—

5 “(A) accepted by a candidate for the office of
6 Representative in, or Delegate or Resident Commis-
7 sioner to the Congress; and

8 “(B) used for legal and accounting compliance
9 costs, or used to pay Federal, State, or local taxes
10 with respect to a candidate’s authorized committees
11 shall not be considered in the computation of
12 amounts subject to limitation under subsection (a).

13 “(2) The balance of funds maintained for legal and
14 accounting compliance costs by the authorized committees
15 of an eligible House of Representatives candidate shall not
16 exceed 20 percent of the limit under subsection (a) at any
17 time.

18 “(3) No funds received by a candidate under section
19 504 may be transferred to a separate legal and accounting
20 compliance fund.

21 “(h) CLOSELY CONTESTED PRIMARY.—If, as deter-
22 mined by the Commission, an eligible House of Represent-
23 atives candidate in a contested primary election wins that
24 primary election by a margin of 10 percentage points or
25 less, notwithstanding the limitation in subsection (a), the

1 candidate may, in the general election period, accept addi-
2 tional contributions of not more than \$150,000, consisting
3 of—

4 “(1) not more than \$50,000 from political com-
5 mittees; and

6 “(2) not more than \$50,000 from individuals
7 referred to in section 315(j)(2).

8 “(i) INDEXING.—The dollar amounts specified in
9 subsections (a), (d), (e), and (h) shall be adjusted at the
10 beginning of the calendar year based on the increase in
11 the price index determined under section 315(c), except
12 that, for the purposes of such adjustment, the base period
13 shall be calendar year 1992.

14 **“SEC. 504. MATCHING FUNDS.**

15 “(a) IN GENERAL.—An eligible House of Representa-
16 tives candidate shall be entitled to receive an amount equal
17 to two times the amount of contributions from individuals
18 received by the candidate, but not more than \$400,000,
19 and not to the extent that contributions from any individ-
20 ual during the election cycle exceed \$250 in the aggregate.

21 “(b) INDEPENDENT EXPENDITURE PROVISION.—If,
22 with respect to a general election involving an eligible
23 House of Representatives candidate, independent expendi-
24 tures totaling \$10,000 are made against the eligible House
25 of Representatives candidate or in favor of another can-

1 didate, the eligible House of Representatives candidate
2 shall be entitled, in addition to any amount received under
3 subsection (a), to a matching payment of \$20,000 and ad-
4 ditional matching payments equal to two times the amount
5 of such independent expenditures above \$10,000, and ex-
6 penditures may be made from such payments without re-
7 gard to the limitations in section 501.

8 “(c) SPECIFIC REQUIREMENTS.—A candidate for the
9 office of Representative in, or Delegate or Resident Com-
10 missioner to, the Congress may receive matching funds
11 under subsection (a) only if the candidate—

12 “(1) in an election cycle, has received \$60,000
13 in contributions from individuals, with not more
14 than \$250 to be taken into account per individual;

15 “(2) qualifies for the election ballot;

16 “(3) has an opponent on the election ballot; and

17 “(4) files a statement of participation in which
18 the candidate agrees to—

19 “(A) comply with the limitations under
20 sections 501 and 503;

21 “(B) cooperate in the case of any audit by
22 the Commission by furnishing such campaign
23 records and other information as the Commis-
24 sion may require; and

1 “(C) comply with any repayment require-
2 ment under section 505.

3 “(d) WRITTEN INSTRUMENT REQUIREMENT.—No
4 contribution in any form other than a gift of money made
5 by a written instrument that identifies the individual mak-
6 ing the contribution may be used as a basis for any match-
7 ing payment under this section.

8 “(e) CERTIFICATION AND PAYMENT.—

9 “(1) CERTIFICATION.—Except as provided in
10 paragraphs (2) and (3), not later than 5 days after
11 receiving a request for payment, the Commission
12 shall certify for payment the amount requested
13 under subsection (a) or (b).

14 “(2) PAYMENTS.—The initial payment under
15 subsection (a) to an eligible candidate shall be
16 \$120,000. All payments shall be—

17 “(A) made not later than 48 hours after
18 certification under paragraph (1); and

19 “(B) subject to proportional reduction in
20 the case of insufficient funds.

21 “(3) INCORRECT REQUEST.—If the Commission
22 determines that any portion of a request is incorrect,
23 the Commission shall withhold the certification for
24 that portion only and inform the candidate as to
25 how the candidate may correct the request.

1 “(f) CLOSELY CONTESTED PRIMARY.—If, as deter-
2 mined by the Commission, an eligible House of Represent-
3 atives candidate in a contested primary election wins that
4 primary election by a margin of 10 percentage points or
5 less, the candidate shall be entitled to matching funds to-
6 taling not more than \$50,000, in addition to any other
7 amount received under this section.

8 “(g) CONVERSIONS TO PERSONAL USE.—A can-
9 didate may not convert any amount received under this
10 section to personal use other than for reimbursement of
11 verifiable prior campaign expenditures.

12 “(h) INDEXING.—The dollar amounts specified in
13 subsections (a), (b), (c) (other than the amount in sub-
14 section (c) to be taken into account per individual), and
15 (f) shall be adjusted at the beginning of the calendar year
16 based on the increase in the price index determined under
17 section 315(c), except that, for the purposes of such ad-
18 justment, the base period shall be calendar year 1993.

19 **“SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS.**

20 “(a) GENERAL ELECTION.—After each general elec-
21 tion, the Commission shall conduct an examination and
22 audit of the campaign accounts of 10 percent of the eligi-
23 ble House of Representatives candidates, as designated by
24 the Commission through the use of an appropriate statis-
25 tical method of random selection, to determine whether

1 such candidates have complied with the conditions of eligi-
2 bility and other requirements of this title. No other factors
3 shall be considered in carrying out such an examination
4 and audit. In selecting the accounts to be examined and
5 audited, the Commission shall select all eligible candidates
6 from a congressional district where any eligible candidate
7 is selected for examination and audit.

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

14 “(c) AFFIRMATIVE VOTE.—The Commission may
15 conduct an examination and audit of the campaign ac-
16 counts of any eligible House of Representatives candidate
17 in a general election if the Commission, by an affirmative
18 vote of 4 members, determines that there exists reason
19 to believe that such candidate may have violated any provi-
20 sion of this title.

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

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

3 **“SEC. 506. 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
10 duty of the Court of Appeals, ahead of all matters not
11 filed under this title, to advance on the docket and expedi-
12 tiously take action on all petitions filed pursuant to this
13 title.

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

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

20 **“SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL**
21 **PROCEEDINGS.**

22 “(a) APPEARANCES.—The Commission is authorized
23 to appear in and defend against any action instituted
24 under this section and under section 506 either by attor-
25 neys employed in its office or by counsel whom it may ap-

1 point without regard to the provisions of title 5, United
2 States Code, governing appointments in the competitive
3 service, and whose compensation it may fix without regard
4 to the provisions of chapter 51 and subchapter III of chap-
5 ter 53 of such title.

6 “(b) INSTITUTION OF ACTIONS.—The Commission is
7 authorized, through attorneys and counsel described in
8 subsection (a), to institute actions in the district courts
9 of the United States to seek recovery of any amounts de-
10 termined under this title to be payable to the Secretary.

11 “(c) INJUNCTIVE RELIEF.—The Commission is au-
12 thorized, through attorneys and counsel described in sub-
13 section (a), to petition the courts of the United States for
14 such injunctive relief as is appropriate in order to imple-
15 ment any provision of this title.

16 “(d) APPEALS.—The Commission is authorized on
17 behalf of the United States to appeal from, and to petition
18 the Supreme Court for certiorari to review, judgments or
19 decrees entered with respect to actions in which it appears
20 pursuant to the authority provided in this section.

21 **“SEC. 508. REPORTS TO CONGRESS; CERTIFICATIONS; REG-**
22 **ULATIONS.**

23 “(a) REPORTS.—The Commission shall, as soon as
24 practicable after each election, submit a full report to the
25 House of Representatives setting forth—

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

5 “(2) the aggregate amount of matching fund
6 payments certified by the Commission under section
7 504 for each eligible candidate; and

8 “(3) the amount of repayments, if any, required
9 under section 505, 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 504)
15 made by the Commission under this title shall be final and
16 conclusive, except to the extent that they are subject to
17 examination and audit by the Commission under section
18 505 or judicial review under section 506.

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,
24 and information, as it deems necessary to carry out the
25 functions 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
5 under this title. No such rule, regulation, or form may
6 take effect until a period of 30 legislative days has elapsed
7 after the 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
13 a single, separable rule of law.

14 **“SEC. 509. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
15 **VISION COMMERCIALS OF ELIGIBLE HOUSE**
16 **OF REPRESENTATIVES CANDIDATES.**

17 “‘No eligible House of Representatives candidate may
18 receive amounts under section 504 unless such candidate
19 has certified that any television commercial prepared or
20 distributed by the candidate will be prepared in a manner
21 that contains, is accompanied by, or otherwise readily per-
22 mits closed captioning of the oral content of the commer-
23 cial to be broadcast by way of line 21 of the vertical blank-
24 ing interval, or by way of comparable successor tech-
25 nologies.’”.

1 (b) EFFECT OF INVALIDITY ON OTHER PROVISIONS
2 OF ACT.—If title V of FECA (as added by this section),
3 or any part thereof, is held to be invalid, all provisions
4 of, and amendments made by, this Act, shall be treated
5 as invalid.

6 **SEC. 102. LIMITATIONS ON POLITICAL COMMITTEE AND**
7 **LARGE DONOR CONTRIBUTIONS THAT MAY**
8 **BE ACCEPTED BY HOUSE OF REPRESENTA-**
9 **TIVES CANDIDATES.**

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

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

18 “(2) A candidate for the office of Representative in,
19 or Delegate or Resident Commissioner to, the Congress
20 may not, with respect to an election cycle, accept contribu-
21 tions aggregating in excess of \$200,000 from persons
22 other than political committees whose contributions total
23 more than \$250.

24 “(3) In addition to the contributions under para-
25 graphs (1) and (2), a House of Representatives candidate

1 who is a candidate in a runoff election may accept con-
2 tributions aggregating not more than \$80,000 with re-
3 spect to the runoff election. Of such contributions, one-
4 half may be from political committees and one-half may
5 be from persons referred to in paragraph (2).

6 “(4) Any amount—

7 “(A) accepted by a candidate for the office of
8 Representative in, or Delegate or Resident Commis-
9 sioner to the Congress; and

10 “(B) used for legal and accounting compliance
11 costs, Federal, State, and local taxes,

12 shall not be considered in the computation of amounts
13 subject to limitation under paragraphs (1), (2), and (3),
14 but shall be subject to the other limitations of this Act.

15 “(5) In addition to any other contributions under this
16 subsection, if, as determined by the Commission, an eligi-
17 ble House of Representatives candidate in a contested pri-
18 mary election wins that primary election by a margin of
19 10 percentage points or less, the candidate may, in the
20 general election period, accept contributions of not more
21 than \$150,000, consisting of—

22 “(A) not more than \$50,000 from political
23 committees; and

24 “(B) not more than \$50,000 from persons
25 referred to in paragraph (2).

1 “(6) The dollar amounts specified in paragraphs (1),
2 (2), (3), and (5) (other than the amounts in paragraphs
3 (2) and (5) relating to contribution totals) shall be ad-
4 justed in the manner provided in section 315(c), except
5 that, for the purposes of such adjustment, the base period
6 shall be calendar year 1993.”.

7 **SEC. 103. EXCESS FUNDS OF INCUMBENTS WHO ARE CAN-**
8 **DIDATES FOR THE HOUSE OF REPRESENTA-**
9 **TIVES.**

10 An individual who—

11 (1) is a candidate for the office of Representa-
12 tive in, or Delegate or Resident Commissioner to,
13 the Congress in an election cycle to which title V of
14 FECA (as enacted by section 101 of this Act) ap-
15 plies;

16 (2) is an incumbent of that office; and

17 (3) as of the date of the first statement of par-
18 ticipation submitted by the individual under section
19 502 of FECA, has campaign accounts containing in
20 excess of \$600,000;

21 shall deposit such excess in a separate account subject to
22 the provision of section 304 of FECA. The amount so de-
23 posited shall be available for any lawful purpose other
24 than use, with respect to the individual, for an election

1 for the office of Representative in, or Delegate or Resident
2 Commissioner to, the Congress.

3 **Subtitle B—General Provisions**

4 **SEC. 121. BROADCAST RATES AND PREEMPTION.**

5 (a) BROADCAST RATES.—Section 315(b) of the Com-
6 munications Act of 1934 (47 U.S.C. 315(b)) is amended
7 in paragraph (1)—

8 (1) by striking out “forty-five” and insert-
9 ing in lieu thereof “30”;

10 (2) by striking out “sixty” and inserting in
11 lieu thereof “45”; and

12 (3) by striking out “lowest unit charge of
13 the station for the same class and amount of
14 time for the same period” and inserting “lowest
15 charge of the station for the same amount of
16 time for the same period on the same date”.

17 (b) PREEMPTION; ACCESS.—Section 315 of such Act
18 (47 U.S.C. 315) is amended by redesignating subsections
19 (c) and (d) as subsections (d) and (e), respectively, and
20 by inserting immediately after subsection (b) the following
21 new subsection:

22 “(c)(1) Except as provided in paragraph (2), a li-
23 censee shall not preempt the use, during any period speci-
24 fied in subsection (b)(1), of a broadcasting station by a
25 legally qualified candidate for public office who has pur-

1 chased and paid for such use pursuant to the provisions
2 of subsection (b)(1).

3 “(2) If a program to be broadcast by a broadcasting
4 station is preempted because of circumstances beyond the
5 control of the broadcasting station, any candidate adver-
6 tising spot scheduled to be broadcast during that program
7 may also be preempted.”.

8 **SEC. 122. EXTENSION OF REDUCED THIRD-CLASS MAILING**
9 **RATES TO ELIGIBLE HOUSE OF REPRESENTA-**
10 **TIVES CANDIDATES.**

11 Section 3626(e) of title 39, United States Code, is
12 amended—

13 (1) in paragraph (2)(A)—

14 (A) by striking out “and the National”
15 and inserting in lieu thereof “the National”;
16 and

17 (B) by striking out “Committee;” and in-
18 serting in lieu thereof “Committee, and, subject
19 to paragraph (3), the principal campaign com-
20 mittee of an eligible House of Representatives
21 candidate;”;

22 (2) in paragraph (2)(B), by striking out “and”
23 after the semicolon;

24 (3) in paragraph (2)(C), by striking out the pe-
25 riod and inserting in lieu thereof “; and”;

1 (4) by adding after paragraph (2)(C) the fol-
2 lowing new subparagraph:

3 “(D) the terms ‘eligible House of Representa-
4 tives candidate’, and ‘principal campaign committee’
5 have the meanings given those terms in section 301
6 of the Federal Election Campaign Act of 1971.”;
7 and

8 (5) by adding after paragraph (2) the following
9 new paragraph:

10 “(3) The rate made available under this subsection
11 with respect to an eligible House of Representatives can-
12 didate shall apply only to—

13 “(A) the general election period (as defined in
14 section 301 of the Federal Election Campaign Act of
15 1971); and

16 “(B) that number of pieces of mail equal to the
17 number of individuals in the voting age population
18 (as certified under section 315(e) of such Act) of the
19 congressional district.”.

20 **SEC. 123. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
21 **PENDENT EXPENDITURES.**

22 Section 304(c) of FECA (2 U.S.C. 434(c)) is amend-
23 ed—

24 (1) in paragraph (2), by striking out the undes-
25 igned matter after subparagraph (C);

1 (2) by redesignating paragraph (3) as para-
2 graph (5); and

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

5 “(3)(A) Any independent expenditure (including
6 those described in subsection (b)(6)(B)(iii) of this section)
7 aggregating \$1,000 or more made after the 20th day, but
8 more than 24 hours, before any election shall be reported
9 within 24 hours after such independent expenditure is
10 made.

11 “(B) Any independent expenditure aggregating
12 \$10,000 or more made at any time up to and including
13 the 20th day before any election shall be reported within
14 48 hours after such independent expenditure is made. An
15 additional statement shall be filed each time independent
16 expenditures aggregating \$10,000 are made with respect
17 to the same election as the initial statement filed under
18 this section.

19 “(C) Such statement shall be filed with the Clerk of
20 the House of Representatives and the Secretary of State
21 of the State involved and shall contain the information re-
22 quired by subsection (b)(6)(B)(iii) of this section, includ-
23 ing whether the independent expenditure is in support of,
24 or in opposition to, the candidate involved. The Clerk of
25 the House of Representatives shall as soon as possible (but

1 not later than 4 working hours of the Commission) after
2 receipt of a statement transmit it to the Commission. Not
3 later than 48 hours after the Commission receives a re-
4 port, the Commission shall transmit a copy of the report
5 to each candidate seeking nomination or election to that
6 office.

7 “(D) For purposes of this section, the term ‘made’
8 includes any action taken to incur an obligation for pay-
9 ment.

10 “(4)(A) If any person intends to make independent
11 expenditures totaling \$5,000 during the 20 days before
12 an election, such person shall file a statement no later
13 than the 20th day before the election.

14 “(B) Such statement shall be filed with the Clerk of
15 the House of Representatives and the Secretary of State
16 of the State involved, and shall identify each candidate
17 whom the expenditure will support or oppose. The Clerk
18 of the House of Representatives shall as soon as possible
19 (but not later than 4 working hours of the Commission)
20 after receipt of a statement transmit it to the Commission.
21 Not later than 48 hours after the Commission receives a
22 statement under this paragraph, the Commission shall
23 transmit a copy of the statement to each candidate identi-
24 fied.

1 “(5) The Commission may make its own determina-
2 tion that a person has made, or has incurred obligations
3 to make, independent expenditures with respect to any
4 Federal election which in the aggregate exceed the applica-
5 ble amounts under paragraph (3) or (4). The Commission
6 shall notify each candidate in such election of such deter-
7 mination within 24 hours of making it.

8 “(6) At the same time as a candidate is notified
9 under paragraph (3), (4), or (5) with respect to expendi-
10 tures during a general election period, the Commission
11 shall certify eligibility to receive benefits under section
12 504(b).

13 “(7) The Clerk of the House of Representatives shall
14 make any statement received under this subsection avail-
15 able for public inspection and copying in the same manner
16 as the Commission under section 311(a)(4), and shall pre-
17 serve such statements in the same manner as the Commis-
18 sion under section 311(a)(5).”.

19 **SEC. 124. CAMPAIGN ADVERTISING AMENDMENTS.**

20 Section 318 of FECA (2 U.S.C. 441d) is amended—

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

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

1 (3) in paragraph (3) of subsection (a), by in-
2 serting after “name” the following “and permanent
3 street address”; and

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

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

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

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

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

15 “(d)(1) Any broadcast or cablecast communication
16 described in subsection (a)(1) or subsection (a)(2) shall
17 include, in addition to the requirements of those sub-
18 sections an audio statement by the candidate that identi-
19 fies the candidate and states that the candidate has ap-
20 proved the communication.

21 “(2) If a broadcast or cablecast communication de-
22 scribed in paragraph (1) is broadcast or cablecast by
23 means of television, the statement required by paragraph
24 (1) shall—

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

5 “(20) The term ‘general election period’ means, with
6 respect to any candidate, the period beginning on the day
7 after the date of the primary or runoff election for the
8 specific office the candidate is seeking, whichever is later,
9 and ending on the earlier of—

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

11 “(B) the date on which the candidate withdraws
12 from the campaign or otherwise ceases actively to
13 seek election.

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

15 “(A) a candidate’s spouse;

16 “(B) a child, stepchild, parent, grandparent,
17 brother, half-brother, sister or half-sister of the can-
18 didate or the candidate’s spouse; and

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

21 “(22) The term ‘major party’ has the meaning given
22 such term in section 9002(6) of the Internal Revenue Code
23 of 1986, except that if a candidate qualified under State
24 law for the ballot in a general election in an open primary
25 in which all the candidates for the office participated and

1 which resulted in the candidate and at least one other can-
2 didate qualifying for the ballot in the general election,
3 such candidate shall be treated as a candidate of a major
4 party for purposes of title V.

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

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

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

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

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

23 “(26) The term ‘runoff election period’ means, with
24 respect 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
2 date of the runoff election for such office.

3 “(27) The term ‘voting age population’ means the
4 resident population, 18 years of age or older, as certified
5 pursuant to section 315(e).

6 “(28) The term ‘eligible House of Representatives
7 candidate’ means a candidate for election to the office of
8 Representative in, or Delegate or Resident Commissioner
9 to, the Congress, who, as determined by the Commission
10 under section 502, is eligible to receive matching payments
11 and other benefits under title V by reason of filing a state-
12 ment of participation and complying with the continuing
13 eligibility requirements under section 502.

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

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

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

1 (b) IDENTIFICATION.—Section 301(13) of FECA (2
2 U.S.C. 431(13)) is amended by striking “mailing address”
3 and inserting “permanent residence address”.

4 **SEC. 126. PROVISIONS RELATING TO FRANKED MASS**
5 **MAILINGS.**

6 (a) Section 3210 of title 39, United States Code, is
7 amended—

8 (1) in subsection (a)(7), by striking “, except
9 that—” and all that follows through the end of sub-
10 paragraph (B) and inserting a period; and

11 (2) in subsection (d)(1), by striking “de-
12 livery—” and all that follows through the end of
13 subparagraph (B) and inserting “delivery within
14 that area constituting the congressional district or
15 State from which the Member was elected.”.

16 (b) PROHIBITION ON USE OF OFFICIAL FUNDS.—
17 The Committee on House Administration of the House of
18 Representatives may not approve any payment, nor may
19 a Member of the House of Representatives make any ex-
20 penditure from, any allowance of the House of Represent-
21 atives or any other official funds if any portion of the pay-
22 ment or expenditure is for any cost related to a mass mail-
23 ing by a Member of the House of Representatives outside
24 the congressional district of the Member.

1 **SEC. 127. DEBATE REQUIREMENT.**

2 (a) IN GENERAL.—To be eligible to receive any bene-
3 fits under this title with respect to a general election, a
4 candidate shall participate in at least one public debate
5 (moderated by a nonpartisan group selected by the Fed-
6 eral Election Commission) during the 45 days before the
7 election.

8 (b) REGULATIONS.—In accordance with regulations
9 prescribed by the Federal Election Commission, the Fed-
10 eral Communications Commission shall implement a plan
11 which provides that the television stations that serve a sig-
12 nificant concentration of residents of a congressional dis-
13 trict shall make time available to broadcast at least one
14 such public debate on a rotating basis.

15 **TITLE II—INDEPENDENT**
16 **EXPENDITURES**

17 **SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO**
18 **INDEPENDENT EXPENDITURES.**

19 (a) INDEPENDENT EXPENDITURE DEFINITION
20 AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is
21 amended by striking paragraphs (17) and (18) and insert-
22 ing the following:

23 “(17)(A) The term ‘independent expenditure’ means
24 an expenditure for an advertisement or other communica-
25 tion that—

26 “(i) contains express advocacy; and

1 “(ii) is made without the participation or co-
2 operation of a candidate or a candidate’s representa-
3 tive.

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

6 “(i) An expenditure made by a political commit-
7 tee of a political party.

8 “(ii) An expenditure made by a person who,
9 during the election cycle, has communicated with or
10 received information from a candidate or a rep-
11 resentative of that candidate regarding activities
12 that have the purpose of influencing that candidate’s
13 election to Federal office, where the expenditure is
14 in support of that candidate or in opposition to an-
15 other candidate for that office.

16 “(iii) An expenditure if there is any arrange-
17 ment, coordination, or direction with respect to the
18 expenditure between the candidate or the candidate’s
19 agent and the person making the expenditure.

20 “(iv) An expenditure if, in the same election
21 cycle, the person making the expenditure is or has
22 been—

23 “(I) authorized to raise or expend funds on
24 behalf of the candidate or the candidate’s au-
25 thorized committees; or

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

4 “(v) An expenditure if the person making the
5 expenditure has advised or counseled the candidate
6 or the candidate’s agents at any time on the can-
7 didate’s plans, projects, or needs relating to the can-
8 didate’s pursuit of nomination for election, or elec-
9 tion, to Federal office, in the same election cycle, in-
10 cluding any advice relating to the candidate’s deci-
11 sion to seek Federal office.

12 “(vi) An expenditure if the person making the
13 expenditure retains the professional services of any
14 individual or other person also providing those serv-
15 ices in the same election cycle to the candidate in
16 connection with the candidate’s pursuit of nomina-
17 tion for election, or election, to Federal office, in-
18 cluding any services relating to the candidate’s deci-
19 sion to seek Federal office.

20 “(vii) An expenditure if the person making the
21 expenditure has consulted at any time during the
22 same election cycle about the candidate’s plans,
23 projects, or needs relating to the candidate’s pursuit
24 of nomination for election, or election, to Federal of-
25 fice, with—

1 “(I) any officer, director, employee or
2 agent of a party committee that has made or
3 intends to make expenditures or contributions,
4 pursuant to subsections (a), (d), or (h) of sec-
5 tion 315 in connection with the candidate’s
6 campaign; or

7 “(II) any person whose professional serv-
8 ices have been retained by a political party com-
9 mittee that has made or intends to make ex-
10 penditures or contributions pursuant to sub-
11 sections (a), (d), or (h) of section 315 in con-
12 nection with the candidate’s campaign.

13 For purposes of this subparagraph, the person making the
14 expenditure shall include any officer, director, employee,
15 or agent of such person.

16 “(18) The term ‘express advocacy’ means, when a
17 communication is taken as a whole, an expression of sup-
18 port for or opposition to a specific candidate, to a specific
19 group of candidates, or to candidates of a particular politi-
20 cal party, or a suggestion to take action with respect to
21 an election, such as to vote for or against, make contribu-
22 tions to, or participate in campaign activity.”.

23 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
24 tion 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amend-
25 ed—

1 (1) in clause (i), by striking “or” after the
2 semicolon at the end;

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

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

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

11 **TITLE III—EXPENDITURES**

12 **Subtitle A—Personal Loans; Credit**

13 **SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.**

14 Section 315 of FECA (2 U.S.C. 441a), as amended
15 by section 102, is amended by adding at the end the fol-
16 lowing new subsection:

17 “(k) LIMITATIONS ON PAYMENTS TO CANDIDATES.—

18 (1) If a candidate or a member of the candidate’s imme-
19 diate family made any loans to the candidate or to the
20 candidate’s authorized committees during any election
21 cycle, no contributions after the date of the general elec-
22 tion for such election cycle may be used to repay such
23 loans.

24 “(2) No contribution by a candidate or member of
25 the candidate’s immediate family may be returned to the

1 candidate or member other than as part of a pro rata dis-
2 tribution of excess contributions to all contributors.”.

3 **SEC. 302. EXTENSIONS OF CREDIT.**

4 Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as
5 amended by section 201(b), is amended—

6 (1) by striking “or” at the end of clause (ii);

7 (2) by striking the period at the end of clause
8 (iii) and inserting “; or”; and

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

11 “(iv) with respect to a candidate and the
12 candidate’s authorized committees, any exten-
13 sion of credit for goods or services relating to
14 advertising on broadcasting stations, in news-
15 papers or magazines, or by mailings, or relating
16 to other similar types of general public political
17 advertising, if such extension of credit is—

18 “(I) in an amount of more than
19 \$1,000; and

20 “(II) for a period greater than the pe-
21 riod, not in excess of 60 days, for which
22 credit is generally extended in the normal
23 course of business after the date on which
24 such goods or services are furnished or the

1 date of the mailing in the case of advertis-
2 ing by a mailing.”.

3 **Subtitle B—Provisions Relating to**
4 **Soft Money of Political Parties**

5 **SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
6 **TEES.**

7 (a) INDIVIDUAL CONTRIBUTIONS TO STATE
8 PARTY.—Paragraph (1) of section 315(a) of FECA (2
9 U.S.C. 441a(a)(1)) is amended by striking “or” at the end
10 of subparagraph (B), by redesignating subparagraph (C)
11 as subparagraph (D), and by inserting after subparagraph
12 (B) the following new subparagraph:

13 “(C) to political committees established and
14 maintained by a State committee of a political party
15 in any calendar year which, in the aggregate, exceed
16 \$10,000; or”.

17 (b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS
18 TO STATE PARTY.—Paragraph (2) of section 315(a) of
19 FECA (2 U.S.C. 441a(a)(2)) is amended by striking “or”
20 at the end of subparagraph (B), by redesignating subpara-
21 graph (C) as subparagraph (D), and by inserting after
22 subparagraph (B) the following new subparagraph:

23 “(C) to political committees established and
24 maintained by a State committee of a political party

1 in any calendar year which, in the aggregate, exceed
2 \$10,000; or”.

3 (c) INCREASE IN OVERALL LIMIT.—Paragraph (3) of
4 section 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended
5 by adding at the end thereof the following new sentence:
6 “The limitation under this paragraph shall be increased
7 (but not by more than \$5,000) by the amount of contribu-
8 tions made by an individual during a calendar year to po-
9 litical committees which are taken into account for pur-
10 poses of paragraph (1)(C).”.

11 **SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE,**
12 **AND LOCAL PARTY COMMITTEES.**

13 (a) EXPENDITURES BY STATE COMMITTEES IN CON-
14 NECTION WITH PRESIDENTIAL CAMPAIGNS.—Section
15 315(d) of FECA (2 U.S.C. 441a(d)) is amended by insert-
16 ing at the end thereof the following new paragraph:

17 “(4) A State committee of a political party, including
18 subordinate committees of that State committee, shall not
19 make expenditures in connection with the general election
20 campaign of a candidate for President of the United
21 States who is affiliated with such party which, in the ag-
22 gregate, exceed an amount equal to 4 cents multiplied by
23 the voting age population of the State, as certified under
24 subsection (e). This paragraph shall not authorize a com-
25 mittee to make expenditures for audio broadcasts (includ-

1 ing television broadcasts) in excess of the amount which
2 could have been made without regard to this paragraph.”.

3 (b) CONTRIBUTION AND EXPENDITURE EXCEP-
4 TIONS.—(1) Section 301(8)(B) of FECA (2 U.S.C.
5 431(8)(B)) is amended—

6 (A) in clause (xi), by striking “direct mail” and
7 inserting “mail”; and

8 (B) by repealing clauses (x) and (xii).

9 (2) Section 301(9)(B) of FECA (2 U.S.C.
10 431(9)(B)) is amended by repealing clauses (viii) and (ix).

11 (c) SOFT MONEY OF COMMITTEES OF POLITICAL
12 PARTIES.—(1) Title III of FECA is amended by inserting
13 after section 323 the following new section:

14 “POLITICAL PARTY COMMITTEES

15 “SEC. 324. (a) Any amount solicited, received, or ex-
16 pended directly or indirectly by a national, State, district,
17 or local committee of a political party (including any sub-
18 ordinate committee) with respect to an activity which, in
19 whole or in part, is in connection with an election to Fed-
20 eral office shall be subject in its entirety to the limitations,
21 prohibitions, and reporting requirements of this Act.

22 “(b) For purposes of subsection (a)—

23 “(1) Any activity which is solely for the purpose
24 of influencing an election for Federal office is in
25 connection with an election for Federal office.

1 “(2) Except as provided in paragraph (3), any
2 of the following activities during a Federal election
3 period shall be treated as in connection with an elec-
4 tion for Federal office:

5 “(A) Voter registration and get-out-the-
6 vote activities.

7 “(B) Campaign activities, including broad-
8 casting, newspaper, magazine, billboard, mass
9 mail, and newsletter communications, and simi-
10 lar kinds of communications or public advertis-
11 ing that—

12 “(i) are generic campaign activities; or

13 “(ii) identify a Federal candidate re-
14 gardless of whether a State or local can-
15 didate is also identified.

16 “(C) The preparation and dissemination of
17 campaign materials that are part of a generic
18 campaign activity or that identify a Federal
19 candidate, regardless of whether a State or
20 local candidate is also identified.

21 “(D) Development and maintenance of
22 voter files.

23 “(E) Any other activity affecting (in whole
24 or in part) an election for Federal office.

1 “(3) The following shall not be treated as in
2 connection with a Federal election:

3 “(A) Any amount described in section
4 301(8)(B)(viii).

5 “(B) Any amount contributed to a can-
6 didate for other than Federal office.

7 “(C) Any amount received or expended in
8 connection with a State or local political con-
9 vention.

10 “(D) Campaign activities, including broad-
11 casting, newspaper, magazine, billboard, mass
12 mail, and newsletter communications, and simi-
13 lar kinds of communications or public advertis-
14 ing that are exclusively on behalf of State or
15 local candidates and are not activities described
16 in paragraph (2)(A).

17 “(E) Administrative expenses of a State or
18 local committee of a political party, including
19 expenses for—

20 “(i) overhead;

21 “(ii) staff (other than individuals de-
22 voting a substantial portion of their activi-
23 ties to elections for Federal office);

24 “(iii) meetings; and

1 “(iv) conducting party elections or
2 caucuses.

3 “(F) Research pertaining solely to State
4 and local candidates and issues.

5 “(G) Development and maintenance of
6 voter files other than during a Federal election
7 period.

8 “(H) Activities described in paragraph
9 (2)(A) which are conducted other than during
10 a Federal election period.

11 “(I) Any other activity which is solely for
12 the purpose of influencing, and which solely af-
13 fects, an election for non-Federal office.

14 “(4) For purposes of this subsection, the term
15 ‘Federal election period’ means the period—

16 “(A) beginning on June 1, of any even-
17 numbered calendar year (April 1 if an election
18 to the office of President occurs in such year),
19 and

20 “(B) ending on the date during such year
21 on which regularly scheduled general elections
22 for Federal office occur.

23 In the case of a special election, the Federal election
24 period shall include at least the 60-day period end-
25 ing on the date of the election.

1 “(c) SOLICITATION OF COMMITTEES.—(1) A national
2 committee of a political party may not solicit or accept
3 contributions not subject to the limitations, prohibitions,
4 and reporting requirements of this Act.

5 “(2) Paragraph (1) shall not apply to contributions
6 that—

7 “(A) are to be transferred to a State committee
8 of a political party for use directly for activities de-
9 scribed in subsection (b)(3); or

10 “(B) are to be used by the committee primarily
11 to support such activities.

12 “(d) AMOUNTS RECEIVED FROM STATE AND LOCAL
13 CANDIDATE COMMITTEES.—(1) For purposes of sub-
14 section (a), any amount received by a national, State, dis-
15 trict, or local committee of a political party (including any
16 subordinate committee) from a State or local candidate
17 committee shall be treated as meeting the requirements
18 of subsection (a) and section 304(d) if—

19 “(A) such amount is derived from funds which
20 meet the requirements of this Act with respect to
21 any limitation or prohibition as to source or dollar
22 amount, and

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

24 “(i) maintains, in the account from which
25 payment is made, records of the sources and

1 amounts of funds for purposes of determining
2 whether such requirements are met, and

3 “(ii) certifies to the other committee that
4 such requirements were met.

5 “(2) Notwithstanding paragraph (1), any committee
6 receiving any contribution described in paragraph (1) from
7 a State or local candidate committee shall be required to
8 meet the reporting requirements of this Act with respect
9 to receipt of the contribution from such candidate commit-
10 tee.

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

15 (2) Section 315(d) of FECA (2 U.S.C. 441a(d)), as
16 amended by subsection (a), is amended by adding at the
17 end thereof the following new paragraph:

18 “(5)(A) The national committee of a political
19 party, the congressional campaign committees of a
20 political party, and a State or local committee of a
21 political party, including a subordinate committee of
22 any of the preceding committees, shall not make ex-
23 penditures during any calendar year for activities
24 described in section 324(b)(2) with respect to such
25 State which, in the aggregate, exceed an amount

1 equal to 30 cents multiplied by the voting age popu-
2 lation of the State (as certified under subsection
3 (e)).

4 “(B) Expenditures authorized under this para-
5 graph shall be in addition to other expenditures al-
6 lowed under this subsection, except that this para-
7 graph shall not authorize a committee to make ex-
8 penditures to which paragraph (3) or (4) applies in
9 excess of the limit applicable to such expenditures
10 under paragraph (3) or (4).

11 “(C) No adjustment to the limitation under this
12 paragraph shall be made under subsection (c) before
13 1992 and the base period for purposes of any such
14 adjustment shall be 1990.

15 “(D) For purposes of this paragraph—

16 “(i) a local committee of a political party
17 shall only include a committee that is a political
18 committee (as defined in section 301(4)); and

19 “(ii) a State committee shall not be re-
20 quired to record or report under this Act the
21 expenditures of any other committee which are
22 made independently from the State commit-
23 tee.”.

1 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
2 Act, a candidate for Federal office (or an individual hold-
3 ing Federal office) may not solicit funds to, or receive
4 funds on behalf of, any Federal or non-Federal candidate
5 or political committee—

6 “(A) which are to be expended in connection
7 with any election for Federal office unless such
8 funds are subject to the limitations, prohibitions,
9 and requirements 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 this Act, and are not from sources
15 prohibited by this Act with respect to elections to
16 Federal office.

17 “(2)(A) The aggregate amount which a person de-
18 scribed in subparagraph (B) may solicit from a
19 multicandidate political committee for State committees
20 described in subsection (a)(1)(C) (including subordinate
21 committees) for any calendar year shall not exceed the dol-
22 lar amount in effect under subsection (a)(2)(B) for the
23 calendar year.

24 “(B) A person is described in this subparagraph if
25 such person is a candidate for Federal office, an individual

1 holding Federal office, or any national, State, district, or
2 local committee of a political party (including subordinate
3 committees).

4 “(3) The appearance or participation by a candidate
5 or individual in any activity (including fundraising) con-
6 ducted by a committee of a political party or a candidate
7 for other than Federal office shall not be treated as a so-
8 licitation for purposes of paragraph (1) if—

9 “(A) such appearance or participation is other-
10 wise permitted by law; and

11 “(B) such candidate or individual does not so-
12 licit or receive, or make expenditures from, any
13 funds resulting from such activity.

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

18 “(5) For purposes of this subsection, an individual
19 shall be treated as holding Federal office if such individual
20 is described in section 101(f) of the Ethics in Government
21 Act of 1978.”.

22 (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of
23 FECA (2 U.S.C. 441a), as amended by subsection (a),
24 is amended by adding at the end thereof the following new
25 subsection:

1 “(m) TAX-EXEMPT ORGANIZATIONS.—(1) If during
2 any period an individual is a candidate for, or holds, Fed-
3 eral office, such individual may not during such period so-
4 licit contributions to, or on behalf of, any organization
5 which is described in section 501(c) of the Internal Reve-
6 nue Code of 1986 if a significant portion of the activities
7 of such organization include voter registration or get-out-
8 the-vote campaigns.

9 “(2) For purposes of this subsection, an individual
10 shall be treated as holding Federal office if such individual
11 is described in section 101(f) of the Ethics in Government
12 Act of 1978.”.

13 **SEC. 314. REPORTING REQUIREMENTS.**

14 (a) REPORTING REQUIREMENTS.—Section 304 of
15 FECA (2 U.S.C. 434) is amended by adding at the end
16 thereof the following new subsection:

17 “(d) POLITICAL COMMITTEES.—(1) The national
18 committee of a political party and any congressional cam-
19 paign committee, and any subordinate committee of ei-
20 ther, shall report all receipts and disbursements during
21 the reporting period, whether or not in connection with
22 an election for Federal office.

23 “(2) A political committee (not described in para-
24 graph (1)) to which section 324 applies shall report all

1 receipts and disbursements in connection with a Federal
2 election (as determined under section 324).

3 “(3) Any political committee to which section 324 ap-
4 plies shall include in its report under paragraph (1) or
5 (2) the amount of any transfer described in section 324(c)
6 and the reason for the transfer.

7 “(4) Any political committee to which paragraph (1)
8 or (2) does not apply shall report any receipts or disburse-
9 ments which are used in connection with a Federal elec-
10 tion.

11 “(5) If any receipt or disbursement to which this sub-
12 section applies exceeds \$200, the political committee shall
13 include identification of the person from whom, or to
14 whom, such receipt or disbursement was made.

15 “(6) Reports required to be filed by this subsection
16 shall be filed for the same time periods required for politi-
17 cal committees under subsection (a).”.

18 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
19 301(8) of the Federal Election Campaign Act of 1971 (2
20 U.S.C. 431(8)) is amended by inserting at the end thereof
21 the following:

22 “(C) The exclusions provided in clauses (v)
23 and (viii) of subparagraph (B) shall not apply
24 for purposes of any requirement to report con-

1 tributions under this Act, and all such contribu-
2 tions in excess of \$200 shall be reported.”.

3 (c) REPORTING OF EXEMPT EXPENDITURES.—Sec-
4 tion 301(9) of the Federal Election Campaign Act of 1971
5 (2 U.S.C. 431(9)) is amended by inserting at the end
6 thereof the following:

7 “(C) The exclusions provided in clause (iv)
8 of subparagraph (B) shall not apply for pur-
9 poses of any requirement to report expenditures
10 under this Act, and all such expenditures in ex-
11 cess of \$200 shall be reported.”.

12 (d) CONTRIBUTIONS AND EXPENDITURES OF POLITI-
13 CAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C.
14 431(4)) is amended by adding at the end the following:
15 “For purposes of this paragraph, the receipt of contribu-
16 tions or the making of, or obligating to make, expenditures
17 shall be determined by the Commission on the basis of
18 facts and circumstances, in whatever combination, dem-
19 onstrating a purpose of influencing any election for Fed-
20 eral office, including, but not limited to, the representa-
21 tions made by any person soliciting funds about their in-
22 tended uses; the identification by name of individuals who
23 are candidates for Federal office or of any political party,
24 in general public political advertising; and the proximity
25 to any primary, runoff, or general election of general pub-

1 lic political advertising designed or reasonably calculated
2 to influence voter choice in that election.”.

3 (e) REPORTS BY STATE COMMITTEES.—Section 304
4 of FECA (2 U.S.C. 434), as amended by subsection (a),
5 is amended by adding at the end thereof the following new
6 subsection:

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

13 **TITLE IV—CONTRIBUTIONS**

14 **SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES** 15 **AND CONDUITS.**

16 Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is
17 amended to read as follows:

18 “(8) For the purposes of this subsection:

19 “(A) Contributions made by a person, either di-
20 rectly or indirectly, to or on behalf of a particular
21 candidate, including contributions that are in any
22 way earmarked or otherwise directed through an
23 intermediary or conduit to a candidate, shall be
24 treated as contributions from the person to the can-
25 didate.

1 “(B) Contributions made directly or indirectly
2 by a person to or on behalf of a particular candidate
3 through an intermediary or conduit, including con-
4 tributions made or arranged to be made by an
5 intermediary or conduit, shall be treated as contribu-
6 tions from the intermediary or conduit to the can-
7 didate if—

8 “(i) the contributions made through the
9 intermediary or conduit are in the form of a
10 check or other negotiable instrument made pay-
11 able to the intermediary or conduit rather than
12 the intended recipient; or

13 “(ii) the intermediary or conduit is—

14 “(I) a political committee with a con-
15 nected organization;

16 “(II) an officer, employee, or agent of
17 such a political committee;

18 “(III) a political party;

19 “(IV) a partnership or sole proprietor-
20 ship;

21 “(V) a person required to register
22 under section 308 of the Federal Regula-
23 tion of Lobbying Act (2 U.S.C. 267) or the
24 Foreign Agents Registration Act of 1938
25 (22 U.S.C. 611 et seq.); or

1 “(VI) an organization prohibited from
2 making contributions under section 316, or
3 an officer, employee, or agent of such an
4 organization acting on the organization’s
5 behalf.

6 “(C)(i) The term ‘intermediary or conduit’ does
7 not include—

8 “(I) a candidate or representative of a can-
9 didate receiving contributions to the candidate’s
10 principal campaign committee or authorized
11 committee;

12 “(II) a professional fundraiser com-
13 pensated for fundraising services at the usual
14 and customary rate;

15 “(III) a volunteer hosting a fundraising
16 event at the volunteer’s home, in accordance
17 with section 301(8)(B); or

18 “(IV) an individual who transmits a con-
19 tribution from the individual’s spouse.

20 “(ii) The term ‘representative’ means an indi-
21 vidual who is expressly authorized by the candidate
22 to engage in fundraising, and who occupies a signifi-
23 cant position within the candidate’s campaign orga-
24 nization, provided that the individual is not de-
25 scribed in subparagraph (B)(ii).

1 “(iii) The term ‘contributions made or arranged
2 to be made’ includes—

3 “(I) contributions delivered to a particular
4 candidate or the candidate’s authorized commit-
5 tee or agent; and

6 “(II) contributions directly or indirectly ar-
7 ranged to be made to a particular candidate or
8 the candidate’s authorized committee or agent,
9 in a manner that identifies directly or indirectly
10 to the candidate or authorized committee or
11 agent the person who arranged the making of
12 the contributions or the person on whose behalf
13 such person was acting.

14 “(iv) The term ‘acting on the organization’s be-
15 half’ includes the following activities by an officer,
16 employee or agent of a person described in subpara-
17 graph (B)(ii)(IV):

18 “(I) Soliciting or directly or indirectly ar-
19 ranging the making of a contribution to a par-
20 ticular candidate in the name of, or by using
21 the name of, such a person.

22 “(II) Soliciting or directly or indirectly ar-
23 ranging the making of a contribution to a par-
24 ticular candidate using other than incidental re-
25 sources of such a person.

1 “(III) Soliciting contributions for a par-
2 ticular candidate by substantially directing the
3 solicitations to other officers, employees, or
4 agents of such a person.

5 “(D) Nothing in this paragraph shall prohibit—

6 “(i) bona fide joint fundraising efforts con-
7 ducted solely for the purpose of sponsorship of
8 a fundraising reception, dinner, or other similar
9 event, in accordance with rules prescribed by
10 the Commission, by—

11 “(I) 2 or more candidates;

12 “(II) 2 or more national, State, or
13 local committees of a political party within
14 the meaning of section 301(4) acting on
15 their own behalf; or

16 “(III) a special committee formed by
17 2 or more candidates, or a candidate and
18 a national, State, or local committee of a
19 political party acting on their own behalf;
20 or

21 “(ii) fundraising efforts for the benefit of
22 a candidate that are conducted by another can-
23 didate.

24 “(iii) bona fide fundraising efforts con-
25 ducted by and solely on behalf of an individual

1 for the purpose of sponsorship of a fundraising
2 reception, dinner, or other similar event, but
3 only if all contributions are made directly to a
4 candidate or a representative of a candidate.

5 When a contribution is made to a candidate through an
6 intermediary or conduit, the intermediary or conduit shall
7 report the original source and the intended recipient of
8 the contribution to the Commission and to the intended
9 recipient.”.

10 **SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
11 **ING AGE.**

12 Section 315 of FECA (2 U.S.C. 441a), as amended
13 by section 313(b), is amended by adding at the end the
14 following new subsection:

15 “(n) For purposes of this section, any contribution
16 by an individual who—

17 “(1) is a dependent of another individual; and

18 “(2) has not, as of the time of such contribu-
19 tion, attained the legal age for voting for elections
20 to Federal office in the State in which such individ-
21 ual resides,

22 shall be treated as having been made by such other indi-
23 vidual. If such individual is the dependent of another indi-
24 vidual and such other individual’s spouse, the contribution

1 shall be allocated among such individuals in the manner
2 determined by them.”.

3 **SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE**
4 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
5 **TIES TO BE AGGREGATED.**

6 Section 315(a) of FECA (2 U.S.C. 441a(a)) is
7 amended by adding at the end the following new para-
8 graph:

9 “(9) A candidate for Federal office may not accept,
10 with respect to an election, any contribution from a State
11 or local committee of a political party (including any sub-
12 ordinate committee of such committee), if such contribu-
13 tion, when added to the total of contributions previously
14 accepted from all such committees of that political party,
15 exceeds a limitation on contributions to a candidate under
16 this section.”.

17 **SEC. 404. LIMITED EXCLUSION OF ADVANCES BY CAM-**
18 **PAIGN WORKERS FROM THE DEFINITION OF**
19 **THE TERM “CONTRIBUTION”.**

20 Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is
21 amended—

22 (1) in clause (xiii), by striking “and” after the
23 semicolon at the end;

24 (2) in clause (xiv), by striking the period at the
25 end and inserting: “; and”; and

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

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

12 **TITLE V—REPORTING** 13 **REQUIREMENTS**

14 **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-**
15 **ENDAR YEAR BASIS TO AN ELECTION CYCLE**
16 **BASIS.**

17 Paragraphs (2) through (7) of section 304(b) of
18 FECA (2 U.S.C. 434(b) (2)–(7)) are amended by insert-
19 ing after “calendar year” each place it appears the follow-
20 ing: “(election cycle, in the case of an authorized commit-
21 tee of a candidate for Federal office)”.

22 **SEC. 502. PERSONAL AND CONSULTING SERVICES.**

23 Section 304(b)(5)(A) of FECA (2 U.S.C.
24 434(b)(5)(A)) is amended by adding before the semicolon
25 at the end the following: “, except that if a person to

1 whom an expenditure is made is merely providing personal
2 or consulting services and is in turn making expenditures
3 to other persons (not including employees) who provide
4 goods or services to the candidate or his or her authorized
5 committees, the name and address of such other person,
6 together with the date, amount and purpose of such ex-
7 penditure shall also be disclosed”.

8 **SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF**
9 **CERTAIN INFORMATION BY PERSONS OTHER**
10 **THAN POLITICAL COMMITTEES.**

11 Section 304(b)(3)(A) of FECA (2 U.S.C.
12 434(b)(3)(A)) is amended by striking “\$200” and insert-
13 ing “\$50”.

14 **SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

15 Section 311(a) of FECA (2 U.S.C. 438(a)) is amend-
16 ed—

17 (1) by striking “and” at the end of paragraph
18 (9);

19 (2) by striking the period at the end of para-
20 graph (10) and inserting “; and”; and

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

23 “(11) maintain computerized indices of con-
24 tributions of \$50 or more.”.

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

3 **SEC. 601. USE OF CANDIDATES' NAMES.**

4 Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is
5 amended to read as follows:

6 “(4)(A) The name of each authorized committee shall
7 include the name of the candidate who authorized the com-
8 mittee under paragraph (1).

9 “(B) A political committee that is not an authorized
10 committee shall not include the name of any candidate in
11 its name or use the name of any candidate in any activity
12 on behalf of such committee in such a context as to sug-
13 gest that the committee is an authorized committee of the
14 candidate or that the use of the candidate’s name has been
15 authorized by the candidate.”.

16 **SEC. 602. REPORTING REQUIREMENTS.**

17 (a) OPTION TO FILE MONTHLY REPORTS.—Section
18 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

19 (1) in subparagraph (A) by striking “and” at
20 the end;

21 (2) in subparagraph (B) by striking the period
22 at the end and inserting “; and”; and

23 (3) by inserting the following new subparagraph
24 at the end:

1 the general counsel's office shall serve as acting general
2 counsel with full powers of the general counsel until a suc-
3 cessor is appointed.”.

4 (b) PAY OF THE GENERAL COUNSEL.—Section
5 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—

6 (1) by inserting “and the general counsel” after
7 “staff director” in the second sentence; and

8 (2) by striking the third sentence.

9 **SEC. 604. ENFORCEMENT.**

10 (a) BASIS FOR ENFORCEMENT PROCEEDING.—Sec-
11 tion 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is amended
12 by striking “it has reason to believe that a person has
13 committed, or is about to commit” and inserting “facts
14 have been alleged or ascertained that, if true, give reason
15 to believe that a person may have committed, or may be
16 about to commit”.

17 (b) AUTHORITY TO SEEK INJUNCTION.—(1) Section
18 309(a) of FECA (2 U.S.C. 437g(a)) is amended by adding
19 at the end the following new paragraph:

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

23 “(i) there is a substantial likelihood that a vio-
24 lation of this Act or of chapter 95 or chapter 96 of

1 the Internal Revenue Code of 1986 is occurring or
2 is about to occur;

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

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

8 “(iv) the public interest would be best served by
9 the issuance of an injunction,

10 the Commission may initiate a civil action for a temporary
11 restraining order or a temporary injunction pending the
12 outcome of the proceedings described in paragraphs (1),
13 (2), (3), and (4).

14 “(B) An action under subparagraph (A) shall be
15 brought in the United States district court for the district
16 in which the defendant resides, transacts business, or may
17 be found.”.

18 (2) Section 309(a) of FECA (2 U.S.C. 437g(a)) is
19 amended—

20 (A) in paragraph (7) by striking “(5) or (6)”
21 and inserting “(5), (6), or (13)”; and

22 (B) in paragraph (11) by striking “(6)” and in-
23 serting “(6) or (13)”.

1 **SEC. 605. PENALTIES.**

2 (a) PENALTIES PRESCRIBED IN CONCILIATION
3 AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2
4 U.S.C. 437g(a)(5)(A)) is amended by striking “which does
5 not exceed the greater of \$5,000 or an amount equal to
6 any contribution or expenditure involved in such violation”
7 and inserting “which is—

8 “(i) not less than 50 percent of all contribu-
9 tions and expenditures involved in the violation (or
10 such lesser amount as the Commission provides if
11 necessary to ensure that the penalty is not unjustly
12 disproportionate to the violation); and

13 “(ii) not greater than all contributions and ex-
14 penditures involved in the violation”.

15 (2) Section 309(a)(5)(B) of FECA (2 U.S.C.
16 437g(a)(5)(B)) is amended by striking “which does not
17 exceed the greater of \$10,000 or an amount equal to 200
18 percent of any contribution or expenditure involved in such
19 violation” and inserting “which is—

20 “(i) not less than all contributions and expendi-
21 tures involved in the violation; and

22 “(ii) not greater than 150 percent of all con-
23 tributions and expenditures involved in the viola-
24 tion”.

25 (b) PENALTIES WHEN VIOLATIONS ARE ADJU-
26 DICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA

1 (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that
2 follows “appropriate order” and inserting “, including an
3 order for a civil penalty in the amount determined under
4 subparagraph (A) or (B) in the district court of the Unit-
5 ed States for the district in which the defendant resides,
6 transacts business, or may be found.”.

7 (2) Section 309(a)(6)(B) of FECA (2 U.S.C.
8 437g(a)(6)(B)) is amended by striking all that follows
9 “other order” and inserting “, including an order for a
10 civil penalty which is—

11 “(i) not less than all contributions and expendi-
12 tures involved in the violation; and

13 “(ii) not greater than 200 percent of all con-
14 tributions and expenditures involved in the violation,
15 upon a proper showing that the person involved has com-
16 mitted, or is about to commit (if the relief sought is a
17 permanent or temporary injunction or a restraining
18 order), a violation of this Act or chapter 95 or chapter
19 96 of the Internal Revenue Code of 1986.”.

20 (3) Section 309(a)(6)(C) of FECA (29 U.S.C.
21 437g(6)(C)) is amended by striking “a civil penalty” and
22 all that follows and inserting “a civil penalty which is—

23 “(i) not less than 200 percent of all contribu-
24 tions and expenditures involved in the violation; and

1 “(ii) not greater than 250 percent of all con-
2 tributions and expenditures involved in the viola-
3 tion.”.

4 **SEC. 606. RANDOM AUDITS.**

5 Section 311(b) of FECA (2 U.S.C. 438(b)) is amend-
6 ed—

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

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) Notwithstanding paragraph (1), the Commission
12 may from time to time conduct random audits and inves-
13 tigations to ensure voluntary compliance with this Act.
14 The subjects of such audits and investigations shall be se-
15 lected on the basis of criteria established by vote of at
16 least 4 members of the Commission to ensure impartiality
17 in the selection process. This paragraph does not apply
18 to an authorized committee of an eligible House of Rep-
19 resentatives candidate subject to audit under section
20 505(a).”.

21 **SEC. 607. PROHIBITION OF FALSE REPRESENTATION TO**
22 **SOLICIT CONTRIBUTIONS.**

23 Section 322 of FECA (2 U.S.C. 441h) is amended—

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

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

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

5 **SEC. 608. REGULATIONS RELATING TO USE OF NON-FED-**
6 **ERAL MONEY.**

7 Section 306 of FECA (2 U.S.C. 437c) is amended
8 by adding at the end the following new subsection:

9 “(g) The Commission shall promulgate rules to pro-
10 hibit devices or arrangements which have the purpose or
11 effect of undermining or evading the provisions of this Act
12 restricting the use of non-Federal money to affect Federal
13 elections.”.

14 **TITLE VII—BALLOT INITIATIVE**
15 **COMMITTEES**

16 **SEC. 701. DEFINITIONS RELATING TO BALLOT INITIATIVES.**

17 Section 301 of FECA (2 U.S.C. 431), as amended
18 by section 312(d), is amended by adding at the end the
19 following new paragraphs:

20 “(32) The term ‘ballot initiative political committee’
21 means any committee, club, association, or other group of
22 persons which makes ballot initiative expenditures or re-
23 ceives ballot initiative contributions in excess of \$1,000
24 during a calendar year.

1 “(33) The term ‘ballot initiative contribution’ means
2 any gift, subscription, loan, advance, or deposit of money
3 or anything of value made by any person for the purpose
4 of influencing the outcome of any referendum or other bal-
5 lot initiative voted on at the State, commonwealth, terri-
6 tory, or District of Columbia level which involves—

7 “(A) interstate commerce;

8 “(B) the election of candidates for Federal of-
9 fice and the permissible terms of those so elected;

10 “(C) Federal taxation of individuals, corpora-
11 tions, or other entities; or

12 “(D) the regulation of speech or press, or any
13 other right guaranteed under the United States Con-
14 stitution.

15 “(34) The term ‘ballot initiative expenditure’ means
16 any purchase, payment, distribution, loan, advance, de-
17 posit or gift of money or anything of value made by any
18 person for the purpose of influencing the outcome of any
19 referendum or other ballot initiative voted on at the state,
20 commonwealth, territory, or District of Columbia level
21 which involves—

22 “(A) interstate commerce;

23 “(B) the election of candidates for Federal of-
24 fice and the permissible terms of those so elected;

1 “(C) Federal taxation of individuals, corpora-
2 tions, or other entities; or

3 “(D) the regulation of speech or press, or any
4 other right guaranteed under the United States Con-
5 stitution.”.

6 **SEC. 702. AMENDMENT TO DEFINITION OF CONTRIBUTION.**

7 Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)),
8 as amended by section 404, is amended—

9 (1) in clause (xiv), by striking “and” after the
10 semicolon;

11 (2) in clause (xv), by striking the period and in-
12 serting “; and”; and

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

15 “(xvi) a ballot initiative contribution.”.

16 **SEC. 703. AMENDMENT TO DEFINITION OF EXPENDITURE.**

17 Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is
18 amended—

19 (1) in clause (ix)(3), by striking “and” after the
20 semicolon;

21 (2) in clause (x), by striking the period and in-
22 serting “; and”; and

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

25 “(xi) a ballot initiative expenditure.”.

1 **SEC. 704. ORGANIZATION OF BALLOT INITIATIVE COMMIT-**
2 **TEES.**

3 Title III of FECA (2 U.S.C. 431 et seq.) is amended
4 by inserting after section 302 (2 U.S.C. 432) the following
5 new section:

6 “ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

7 “SEC. 302A. (a) Every ballot initiative political com-
8 mittee shall have a treasurer. No ballot initiative contribu-
9 tion shall be accepted or ballot initiative expenditure shall
10 be made by or on behalf of a ballot initiative political com-
11 mittee during any period in which the office of treasurer
12 is vacant.

13 “(b)(1) Every person who receives a ballot initiative
14 contribution for a ballot initiative political committee
15 shall—

16 “(A) if the amount is \$50 or less, forward to
17 the treasurer such contribution no later than 30
18 days after receiving the contribution; and

19 “(B) if the amount of the ballot initiative con-
20 tribution is in excess of \$50, forward to the treas-
21 urer such contribution, the name, address, and occu-
22 pation of the person making such contribution, and
23 the date of receiving such contribution, no later than
24 10 days after receiving such contribution.

1 “(2) All funds of a ballot initiative political committee
2 shall be segregated from, and may not be commingled
3 with, the personal funds of any individual.

4 “(3) The treasurer of a ballot initiative political com-
5 mittee shall keep an account for—

6 “(A) all ballot initiative contributions received
7 by or on behalf of such ballot initiative political com-
8 mittee;

9 “(B) the name and address of any person who
10 makes a ballot initiative contribution in excess of
11 \$50, together with the date and amount of such bal-
12 lot initiative contribution by any person;

13 “(C) the identification of any person who makes
14 a ballot initiative contribution or ballot initiative
15 contributions aggregating more than \$200 during a
16 calendar year, together with the date and amount of
17 any such contribution;

18 “(D) the identification of any political commit-
19 tee or ballot initiative political committee which
20 makes a ballot initiative contribution, together with
21 the date and amount of any such contribution; and

22 “(E) the name and address of every person to
23 whom any ballot initiative expenditure is made, the
24 date, amount and purpose of such ballot initiative

1 expenditure, and the name of the ballot initiative(s)
2 to which the ballot initiative expenditure pertained.

3 “(c) The treasurer shall preserve all records required
4 to be kept by this section 3 years after the report is filed.”.

5 **SEC. 705. BALLOT INITIATIVE COMMITTEE REPORTING RE-**
6 **QUIREMENTS.**

7 Title III of FECA (2 U.S.C. 431 et seq.) is amended
8 by inserting after section 304 (2 U.S.C. 434) the following
9 new section:

10 “BALLOT INITIATIVE COMMITTEE REPORTING
11 REQUIREMENTS

12 “SEC. 304A. (a)(1) Each treasurer of a ballot initia-
13 tive political committee shall file reports of receipts and
14 disbursements in accordance with the provisions of this
15 subsection. The treasurer shall sign each such report.

16 “(2) All ballot initiative political committees shall file
17 either—

18 “(A)(i) quarterly reports in each calendar year
19 when a ballot initiative is slated regarding which the
20 ballot initiative committee plans to make or makes
21 a ballot initiative expenditure or plans to receive or
22 receives a ballot initiative contribution, which shall
23 be filed no later than the 15th day after the last day
24 of each calendar quarter: except that the report for
25 the quarter ending on December 31 of such calendar

1 year shall be filed no later than January 31 of the
2 following calendar year; and

3 “(ii) preballot initiative reports, which shall be
4 filed 5 days before the occurrence of each ballot ini-
5 tiative in which the ballot initiative committee plans
6 to make or has made a ballot initiative expenditure
7 or plans to receive or has received a ballot initiative
8 contribution; or

9 “(B) monthly reports in all calendar years
10 which shall be filed no later than the 15th day after
11 the last day of the month and shall be complete as
12 of the last day of the month.

13 “(3) If a designation, report, or statement filed pur-
14 suant to this section (other than under paragraph
15 (2)(A)(ii)) is sent by registered or certified mail, the Unit-
16 ed States postmark shall be considered the date of filing
17 of the designation, report, or statement.

18 “(4) The reports required to be filed by this section
19 shall be cumulative during the calendar year to which they
20 relate, but where there has been no change in an item
21 reported in a previous report during each year, only the
22 amount need be carried forward.

23 “(b) Each report under this section shall disclose—

24 “(1) the amount of cash on hand at the begin-
25 ning of the reporting period;

1 “(2) for the reporting period and the calendar
2 year, the total amount of all receipts, and the total
3 amount of all receipts in the following categories:

4 “(A) ballot initiative contributions from
5 persons other than political committees;

6 “(B) ballot initiative contributions from
7 political party committees;

8 “(C) ballot initiative contributions from
9 other political committees and ballot initiative
10 political committees;

11 “(D) transfers from affiliated political
12 committees;

13 “(E) loans;

14 “(F) rebates, refunds, and other offsets to
15 operating expenditures; and

16 “(G) dividends, interest, and other forms
17 of receipts;

18 “(3) the identification of each—

19 “(A) person (other than a political commit-
20 tee or ballot initiative political committee) who
21 makes a ballot initiative contribution to the re-
22 porting committee during the reporting period,
23 whose ballot initiative contribution or ballot ini-
24 tiative contributions have an aggregate amount
25 or value in excess of \$50 within the calendar

1 year, or in any lesser amount if the reporting
2 committee should so elect, together with the
3 date and amount of any such contribution and
4 the address and occupation (if an individual) of
5 the person;

6 “(B) political committee or ballot initiative
7 political committee which makes a ballot initia-
8 tive contribution to the reporting committee
9 during the reporting period, together with the
10 date and amount of any such contribution;

11 “(C) affiliated political committee or affili-
12 ated ballot initiative political committee which
13 makes a transfer to the reporting committee
14 during the reporting period;

15 “(D) person who makes a loan to the re-
16 porting committee during the reporting period,
17 together with the identification of any endorser
18 or guarantor of such loan, and the date and
19 amount or value of such loan and the address
20 and occupation (if an individual) of the person;

21 “(E) person who provides a rebate, refund,
22 or other offset to operating expenditures to the
23 reporting committee in an aggregate amount or
24 value in excess of \$200 within the calendar
25 year, together with the date and amount of

1 such receipt and the address and occupation (if
2 an individual) of the person; and

3 “(F) person who provides any dividend, in-
4 terest, or other receipt to the reporting commit-
5 tee in an aggregate value or amount in excess
6 of \$200 within the calendar year, together with
7 the date and amount of any such receipt and
8 the address and occupation (if an individual) of
9 the person;

10 “(4) for the reporting period and the calendar
11 year, the total amount of disbursements, and all dis-
12 bursements in the following categories:

13 “(A) ballot initiative expenditures;

14 “(B) transfers to affiliated political com-
15 mittees or ballot initiative political committees;

16 “(C) ballot initiative contribution refunds
17 and other offsets to ballot initiative contribu-
18 tions;

19 “(D) loans made by the reporting commit-
20 tee and the name of the person receiving the
21 loan together with the date of the loan and the
22 address and occupation (if an individual) of the
23 person; and

24 “(E) independent expenditures; and

1 **SEC. 708. LIMITATION ON CONTRIBUTION OF CURRENCY.**

2 Section 321 of FECA (2 U.S.C. 441g) is amended
3 to read as follows:

4 “LIMITATION ON CONTRIBUTION OF CURRENCY

5 “SEC. 321. No person shall make contributions or
6 ballot initiative contributions of currency of the United
7 States or currency of any foreign country which in the
8 aggregate, exceed \$100, to or for the benefit of—

9 “(1) any candidate for nomination for election,
10 or for election, to Federal office;

11 “(2) any political committee (other than a bal-
12 lot initiative political committee) for the purpose of
13 influencing an election for Federal office; or

14 “(3) any ballot initiative political committee for
15 the purpose of influencing a ballot initiative.”.

16 **TITLE VIII—MISCELLANEOUS**

17 **SEC. 801. PROHIBITION OF LEADERSHIP COMMITTEES.**

18 Section 302(e) of FECA (2 U.S.C. 432(e)) is amend-
19 ed—

20 (1) by amending paragraph (3) to read as fol-
21 lows:

22 “(3) No political committee that supports or has sup-
23 ported more than one candidate may be designated as an
24 authorized committee, except that—

25 “(A) a candidate for the office of President
26 nominated by a political party may designate the na-

1 tional committee of such political party as the can-
2 didate's principal campaign committee, but only if
3 that national committee maintains separate books of
4 account with respect to its functions as a principal
5 campaign committee; and

6 “(B) a candidate may designate a political com-
7 mittee established solely for the purpose of joint
8 fundraising by such candidates as an authorized
9 committee.”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(6)(A) A candidate for Federal office or any individ-
13 ual holding Federal office may not establish, maintain, or
14 control any political committee other than a principal cam-
15 paign committee of the candidate, authorized committee,
16 party committee, or other political committee designated
17 in accordance with paragraph (3). A candidate for more
18 than one Federal office may designate a separate principal
19 campaign committee for each Federal office.

20 “(B) For one year after the effective date of this
21 paragraph, any such political committee may continue to
22 make contributions. At the end of that period such politi-
23 cal committee shall disburse all funds by one or more of
24 the following means: making contributions to an entity
25 qualified under section 501(c)(3) of the Internal Revenue

1 Code of 1986; making a contribution to the treasury of
2 the United States; contributing to the national, State or
3 local committees of a political party; or making contribu-
4 tions not to exceed \$1,000 to candidates for elective of-
5 fice.”.

6 **SEC. 802. POLLING DATA CONTRIBUTED TO CANDIDATES.**

7 Section 301(8) of FECA (2 U.S.C. 431(8)), as
8 amended by section 314(b), is amended by inserting at
9 the end the following new subparagraph:

10 “(D) A contribution of polling data to a can-
11 didate shall be valued at the fair market value of the
12 data on the date the poll was completed, depreciated
13 at a rate not more than 1 percent per day from such
14 date to the date on which the contribution was
15 made.”.

16 **SEC. 803. DEBATES BY GENERAL ELECTION CANDIDATES**
17 **WHO RECEIVE AMOUNTS FROM THE PRESI-**
18 **DENTIAL ELECTION CAMPAIGN FUND.**

19 Section 315(b) of FECA (2 U.S.C. 441a(b)) is
20 amended by adding at the end the following new para-
21 graph:

22 “(3)(A) The candidates of a political party for
23 the offices of President and Vice President who are
24 eligible under section 9003 of the Internal Revenue
25 Code of 1986 to receive payments from the Sec-

1 retary of the Treasury shall not receive such pay-
2 ments unless both of such candidates agree in writ-
3 ing—

4 “(i) that the candidate for the office of
5 President will participate in at least 4 debates,
6 sponsored by a nonpartisan or bipartisan orga-
7 nization, with all other candidates for that of-
8 fice who are eligible under that section; and

9 “(ii) that the candidate of the party for the
10 office of Vice President will participate in at
11 least 1 debate, sponsored by a nonpartisan or
12 bipartisan organization, with all other can-
13 didates for that office who are eligible under
14 that section.

15 “(B) If the Commission determines that either
16 of the candidates of a political party failed to par-
17 ticipate in a debate under subparagraph (A) and
18 was responsible at least in part for such failure, the
19 candidate of the party involved shall—

20 “(i) be ineligible to receive payments under
21 section 9006 of the Internal Revenue Code of
22 1986; and

23 “(ii) pay to the Secretary of the Treasury
24 an amount equal to the amount of the pay-

1 **SEC. 805. AMENDMENT TO FECA SECTION 316.**

2 Section 316(b) of FECA (2 U.S.C. 441b(b)) is
3 amended—

4 (1) by inserting “(A)” at the beginning of para-
5 graph (2) and redesignating subparagraphs (A), (B),
6 and (C) as clauses (i), (ii), and (iii), respectively;

7 (2) at the beginning of the first sentence in
8 subparagraph (A), by inserting the following: “Ex-
9 cept as provided in subparagraph (B),”; and

10 (3) by adding at the end of paragraph (2) the
11 following:

12 “(B) Expenditures by a corporation or
13 labor organization for candidate appearances,
14 candidate debates and voter guides directed to
15 the general public shall be considered contribu-
16 tions unless—

17 “(i) in the case of a candidate appear-
18 ance, the appearance takes place on cor-
19 porate or labor organization premises or at
20 a meeting or convention of the corporation
21 or labor organization, and all candidates
22 for election to that office are notified that
23 they may make an appearance under the
24 same or similar conditions;

25 “(ii) in the case of a candidate debate,
26 the organization staging the debate is ei-

1 ther an organization described in section
2 301 whose broadcasts or publications are
3 supported by commercial advertising, sub-
4 scriptions or sales to the public, including
5 a noncommercial educational broadcaster,
6 or a nonprofit organization exempt from
7 Federal taxation under section 501(c)(3)
8 or 501(c)(4) of the Internal Revenue Code
9 of 1986 that does not endorse, support, op-
10 pose candidates or political parties; and

11 “(iii) in the case of a voter guide, the
12 guide is prepared and distributed by a cor-
13 poration or labor organization and consists
14 of questions posed to at least two can-
15 didates for election to that office,

16 except that no communication made by a cor-
17 poration or labor organization in connection
18 with the candidate appearance, candidate de-
19 bate or voter guide contains express advocacy,
20 or that no candidate is favored through the
21 structure or format of the candidate appear-
22 ance, candidate debate or voter guide.”.

1 **SEC. 806. 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
11 Commission shall conduct the study described in
12 paragraph (1) in consultation with State and local
13 election 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 devel-
17 oped 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
26 that 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 finan-
9 cial 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
15 private 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
24 enactment of this Act.

1 **SEC. 807. PROHIBITION OF USE OF GOVERNMENT AIR-**
2 **CRAFT IN CONNECTION WITH ELECTIONS**
3 **FOR FEDERAL OFFICE.**

4 Title III of FECA (2 U.S.C. 431 et seq.), as amended
5 by section 312(c) is amended by adding at the end the
6 following new section:

7 “PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN
8 CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE

9 “SEC. 325. (a) No aircraft that is owned or operated
10 by the Government (including any aircraft that is owned
11 or operated by the Department of Defense) may be used
12 in connection with an election for Federal office.

13 “(b)(1) Subsection (a) shall not apply to travel pro-
14 vided to the President or Vice President.

15 “(2) The portion of the cost of any travel provided
16 to the President or Vice President that is allocable to ac-
17 tivities in connection with an election for Federal office
18 shall be paid by the authorized committee of the Presi-
19 dent. Such portion shall be paid within 10 days of the
20 travel. For purposes of this section, travel which is in any
21 part related to campaign activity, shall be treated as in
22 connection with an election for Federal office, and the pay-
23 ment for such travel shall be sufficient to reflect that por-
24 tion which is campaign-related.

1 “(3) The actual costs and payment for costs of any
2 travel provided to the President and Vice President shall
3 be disclosed in accordance with section 304.”.

4 **SEC. 808. SENSE OF THE CONGRESS.**

5 The Congress should consider legislation that would
6 provide for an amendment to the Constitution to set rea-
7 sonable limits on campaign expenditures in Federal elec-
8 tions.

9 **TITLE IX—EFFECTIVE DATES;**
10 **AUTHORIZATIONS**

11 **SEC. 901. EFFECTIVE DATE.**

12 Except as otherwise provided in this Act, the amend-
13 ments made by, and the provisions of, this Act shall take
14 effect on the date of the enactment of this Act but shall
15 not apply with respect to activities in connection with any
16 election occurring before January 1, 1993.

17 **SEC. 902. BUDGET NEUTRALITY.**

18 (a) DELAYED EFFECTIVENESS.—The provisions of
19 this Act (other than this section) shall not be effective
20 until the estimated costs under section 252 of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985
22 have been offset by the enactment of subsequent legisla-
23 tion effectuating this Act.

24 (b) SENSE OF CONGRESS.—It is the sense of the
25 Congress that subsequent legislation effectuating this Act

1 shall not provide for general revenue increases, reduce ex-
2 penditures for any existing Federal program, or increase
3 the Federal budget deficit.

4 **SEC. 903. SEVERABILITY.**

5 Except as provided in section 101(b), if any provision
6 of this Act (including any amendment made by this Act),
7 or the application of any such provision to any person or
8 circumstance, is held invalid, the validity of any other pro-
9 vision of this Act, or the application of such provision to
10 other persons and circumstances, shall not be affected
11 thereby.

12 **SEC. 904. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

13 (a) DIRECT APPEAL TO SUPREME COURT.—An ap-
14 peal may be taken directly to the Supreme Court of the
15 United States from any interlocutory order or final judg-
16 ment, decree, or order issued by any court ruling on the
17 constitutionality of any provision of this Act or amend-
18 ment made by this Act.

19 (b) ACCEPTANCE AND EXPEDITION.—The Supreme
20 Court shall, if it has not previously ruled on the question
21 addressed in the ruling below, accept jurisdiction over, ad-
22 vance on the docket, and expedite the appeal to the great-
23 est extent possible.

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