

103D CONGRESS
1ST SESSION

H. R. 3

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

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

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,*

1 **SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT;**

2 **TABLE OF CONTENTS.**

3 (a) SHORT TITLE.—This Act may be cited as the
4 “Congressional Campaign Spending Limit and Election
5 Reform Act of 1993”.

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

9 (c) TABLE OF CONTENTS.—

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

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

Sec. 101. Senate spending limits and benefits.

Sec. 102. Restrictions on activities of political action and candidate committees
in Federal elections.

Sec. 103. Reporting requirements.

Sec. 104. Disclosure by noneligible candidates.

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

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

Sec. 122. Limitations on political committee and large donor contributions that
may be accepted by House of Representatives candidates.

Sec. 123. Excess funds of incumbents who are candidates for the House of
Representatives.

Subtitle C—General Provisions

Sec. 131. Broadcast rates and preemption.

Sec. 132. Extension of reduced third-class mailing rates to eligible House of
Representatives and Senate candidates.

Sec. 133. Reporting requirements for certain independent expenditures.

Sec. 134. Campaign advertising amendments.

Sec. 135. Definitions.

Sec. 136. Provisions relating to franked mass mailings.

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—Senate Election Cam-**
 5 **paign Spending Limits and Ben-**
 6 **efits**

7 **SEC. 101. SENATE SPENDING LIMITS AND BENEFITS.**

8 (a) IN GENERAL.—FECA is amended by adding at
 9 the end thereof the following new title:

10 **“TITLE V—SPENDING LIMITS**
 11 **AND BENEFITS FOR SENATE**
 12 **ELECTION CAMPAIGNS**

13 **“SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.**

14 “(a) IN GENERAL.—For purposes of this title, a can-
 15 didate is an eligible Senate candidate if the candidate—

16 “(1) meets the primary and general election fil-
 17 ing requirements of subsections (b) and (c);

18 “(2) meets the primary and runoff election ex-
 19 penditure limits of subsection (d); and

1 “(3) meets the threshold contribution require-
2 ments of subsection (e).

3 “(b) PRIMARY FILING REQUIREMENTS.—(1) The re-
4 quirements of this subsection are met if the candidate files
5 with the Secretary of the Senate a declaration that—

6 “(A) the candidate and the candidate’s author-
7 ized committees—

8 “(i) will meet the primary and runoff elec-
9 tion expenditure limits of subsection (d); and

10 “(ii) will only accept contributions for the
11 primary and runoff elections which do not ex-
12 ceed such limits;

13 “(B) the candidate and the candidate’s author-
14 ized committees will meet the general election ex-
15 penditure limit under section 502(b); and

16 “(C) the candidate and the candidate’s author-
17 ized committees will meet the limitation on expendi-
18 tures from personal funds under section 502(a).

19 “(2) The declaration under paragraph (1) shall be
20 filed not later than the date the candidate files as a can-
21 didate for the primary election.

22 “(c) GENERAL ELECTION FILING REQUIREMENTS.—

23 (1) The requirements of this subsection are met if the can-
24 didate files a certification with the Secretary of the Senate
25 under penalty of perjury that—

1 “(A) the candidate and the candidate’s author-
2 ized committees—

3 “(i) met the primary and runoff election
4 expenditure limits under subsection (d); and

5 “(ii) did not accept contributions for the
6 primary or runoff election in excess of the pri-
7 mary or runoff expenditure limit under sub-
8 section (d), whichever is applicable, reduced by
9 any amounts transferred to this election cycle
10 from a preceding election cycle;

11 “(B) the candidate met the threshold contribu-
12 tion requirement under subsection (e), and that only
13 allowable contributions were taken into account in
14 meeting such requirement;

15 “(C) at least one other candidate has qualified
16 for the same general election ballot under the law of
17 the State involved;

18 “(D) such candidate and the authorized com-
19 mittees of such candidate—

20 “(i) except as otherwise provided by this
21 title, will not make expenditures which exceed
22 the general election expenditure limit under sec-
23 tion 502(b);

24 “(ii) will not accept any contributions in
25 violation of section 315;

1 “(iii) except as otherwise provided by this
2 title, will not accept any contribution for the
3 general election involved to the extent that such
4 contribution would cause the aggregate amount
5 of such contributions to exceed the sum of the
6 amount of the general election expenditure limit
7 under section 502(b) and the amounts de-
8 scribed in subsections (c) and (d) of section
9 502, reduced by—

10 “(I) the amount of voter communica-
11 tion vouchers issued to the candidate; and

12 “(II) any amounts transferred to this
13 election cycle from a previous election cycle
14 and not taken into account under subpara-
15 graph (A)(ii);

16 “(iv) will deposit all payments received
17 under this title in an account insured by the
18 Federal Deposit Insurance Corporation from
19 which funds may be withdrawn by check or
20 similar means of payment to third parties;

21 “(v) will furnish campaign records, evi-
22 dence of contributions, and other appropriate
23 information to the Commission; and

1 “(vi) will cooperate in the case of any audit
2 and examination by the Commission under sec-
3 tion 506; and

4 “(E) the candidate intends to make use of the
5 benefits provided under section 503.

6 “(2) The declaration under paragraph (1) shall be
7 filed not later than 7 days after the earlier of—

8 “(A) the date the candidate qualifies for the
9 general election ballot under State law; or

10 “(B) if, under State law, a primary or runoff
11 election to qualify for the general election ballot oc-
12 curs after September 1, the date the candidate wins
13 the primary or runoff election.

14 “(d) PRIMARY AND RUNOFF EXPENDITURE LIM-
15 ITS.—(1) The requirements of this subsection are met if:

16 “(A) The candidate or the candidate’s author-
17 ized committees did not make expenditures for the
18 primary election in excess of the lesser of—

19 “(i) 67 percent of the general election ex-
20 penditure limit under section 502(b); or

21 “(ii) \$2,750,000.

22 “(B) The candidate and the candidate’s author-
23 ized committees did not make expenditures for any
24 runoff election in excess of 20 percent of the general
25 election expenditure limit under section 502(b).

1 “(2) The limitations under subparagraphs (A) and
2 (B) of paragraph (1) with respect to any candidate shall
3 be increased by the aggregate amount of independent ex-
4 penditures in opposition to, or on behalf of any opponent
5 of, such candidate during the primary or runoff election
6 period, whichever is applicable, which are required to be
7 reported to the Secretary of the Senate with respect to
8 such period under section 304(c).

9 “(3)(A) If the contributions received by the candidate
10 or the candidate’s authorized committees for the primary
11 election or runoff election exceed the expenditures for ei-
12 ther such election, such excess contributions shall be treat-
13 ed as contributions for the general election and expendi-
14 tures for the general election may be made from such ex-
15 cess contributions.

16 “(B) Subparagraph (A) shall not apply to the extent
17 that such treatment of excess contributions—

18 “(i) would result in the violation of any limita-
19 tion under section 315; or

20 “(ii) would cause the aggregate contributions
21 received for the general election to exceed the limits
22 under subsection (c)(1)(D)(iii).

23 “(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—

24 (1) The requirements of this subsection are met if the can-
25 didate and the candidate’s authorized committees have re-

1 ceived allowable contributions during the applicable period
2 in an amount at least equal to the lesser of—

3 “(A) 10 percent of the general election expendi-
4 ture limit under section 502(b); or

5 “(B) \$250,000.

6 “(2) For purposes of this section and section
7 503(b)—

8 “(A) The term ‘allowable contributions’ means
9 contributions which are made as gifts of money by
10 an individual pursuant to a written instrument iden-
11 tifying such individual as the contributor.

12 “(B) The term ‘allowable contributions’ shall
13 not include—

14 “(i) contributions made directly or indi-
15 rectly through an intermediary or conduit which
16 are treated as made by such intermediary or
17 conduit under section 315(a)(8)(B);

18 “(ii) contributions from any individual dur-
19 ing the applicable period to the extent such con-
20 tributions exceed \$250; or

21 “(iii) contributions from individuals resid-
22 ing outside the candidate’s State to the extent
23 such contributions exceed 50 percent of the ag-
24 gregate allowable contributions (without regard

1 to this clause) received by the candidate during
2 the applicable period.

3 Clauses (ii) and (iii) shall not apply for purposes of
4 section 503(b).

5 “(3) For purposes of this subsection and section
6 503(b), the term ‘applicable period’ means—

7 “(A) the period beginning on January 1 of the
8 calendar year preceding the calendar year of the
9 general election involved and ending on—

10 “(i) the date on which the certification
11 under subsection (c) is filed by the candidate;
12 or

13 “(ii) for purposes of section 503(b), the
14 date of such general election; or

15 “(B) in the case of a special election for the of-
16 fice of United States Senator, the period beginning
17 on the date the vacancy in such office occurs and
18 ending on the date of the general election involved.

19 “(f) INDEXING.—The \$2,750,000 amount under sub-
20 section (d)(1) shall be increased as of the beginning of
21 each calendar year based on the increase in the price index
22 determined under section 315(c), except that, for purposes
23 of subsection (d)(1), the base period shall be calendar year
24 1993.

1 **“SEC. 502. LIMITATIONS ON EXPENDITURES.**

2 “(a) LIMITATION ON USE OF PERSONAL FUNDS.—

3 (1) The aggregate amount of expenditures which may be
4 made during an election cycle by an eligible Senate can-
5 didate or such candidate’s authorized committees from the
6 sources described in paragraph (2) shall not exceed the
7 lesser of—

8 “(A) 10 percent of the general election expendi-
9 ture limit under subsection (b); or

10 “(B) \$250,000.

11 “(2) A source is described in this paragraph if it is—

12 “(A) personal funds of the candidate and mem-
13 bers of the candidate’s immediate family; or

14 “(B) personal debt incurred by the candidate
15 and members of the candidate’s immediate family.

16 “(b) GENERAL ELECTION EXPENDITURE LIMIT.—

17 (1) Except as otherwise provided in this title, the aggre-
18 gate amount of expenditures for a general election by an
19 eligible Senate candidate and the candidate’s authorized
20 committees shall not exceed the lesser of—

21 “(A) \$5,500,000; or

22 “(B) the greater of—

23 “(i) \$950,000; or

24 “(ii) \$400,000; plus

1 “(I) 30 cents multiplied by the voting
2 age population not in excess of 4,000,000;
3 and

4 “(II) 25 cents multiplied by the voting
5 age population in excess of 4,000,000.

6 “(2) In the case of an eligible Senate candidate in
7 a State which has no more than 1 transmitter for a com-
8 mercial Very High Frequency (VHF) television station li-
9 censed to operate in that State, paragraph (1)(B)(ii) shall
10 be applied by substituting—

11 “(A) ‘80 cents’ for ‘30 cents’ in subclause (I);
12 and

13 “(B) ‘70 cents’ for ‘25 cents’ in subclause (II).

14 “(3) The amount otherwise determined under para-
15 graph (1) for any calendar year shall be increased by the
16 same percentage as the percentage increase for such cal-
17 endar year under section 501(f) (relating to indexing).

18 “(c) LEGAL AND ACCOUNTING COMPLIANCE
19 FUND.—(1) The limitation under subsection (b) shall not
20 apply to qualified legal and accounting expenditures made
21 by a candidate or the candidate’s authorized committees
22 or a Federal officeholder from a legal and accounting com-
23 pliance fund meeting the requirements of paragraph (2).

24 “(2) A legal and accounting compliance fund meets
25 the requirements of this paragraph if—

1 “(A) the only amounts transferred to the fund
2 are amounts received in accordance with the limita-
3 tions, prohibitions, and reporting requirements of
4 this Act;

5 “(B) the aggregate amounts transferred to, and
6 expenditures made from, the fund do not exceed the
7 sum of—

8 “(i) the lesser of—

9 “(I) 15 percent of the general election
10 expenditure limit under subsection (b) for
11 the general election for which the fund was
12 established; or

13 “(II) \$300,000; plus

14 “(ii) the amount determined under para-
15 graph (4); and

16 “(C) no funds received by the candidate pursu-
17 ant to section 503(a)(3) may be transferred to the
18 fund.

19 “(3) For purposes of this subsection, the term ‘quali-
20 fied legal and accounting expenditures’ means the follow-
21 ing:

22 “(A) Any expenditures for costs of legal and ac-
23 counting services provided in connection with—

1 “(i) any administrative or court proceeding
2 initiated pursuant to this Act during the elec-
3 tion cycle for such general election; or

4 “(ii) the preparation of any documents or
5 reports required by this Act or the Commission.

6 “(B) Any expenditures for legal and accounting
7 services provided in connection with the general elec-
8 tion for which the legal and accounting compliance
9 fund was established to ensure compliance with this
10 Act with respect to the election cycle for such gen-
11 eral election.

12 “(4)(A) If, after a general election, a candidate deter-
13 mines that the qualified legal and accounting expenditures
14 will exceed the limitation under paragraph (2)(B)(i), the
15 candidate may petition the Commission by filing with the
16 Secretary of the Senate a request for an increase in such
17 limitation. The Commission shall authorize an increase in
18 such limitation in the amount (if any) by which the Com-
19 mission determines the qualified legal and accounting ex-
20 penditures exceed such limitation. Such determination
21 shall be subject to judicial review under section 506.

22 “(B) Except as provided in section 315, any contribu-
23 tion received or expenditure made pursuant to this para-
24 graph shall not be taken into account for any contribution

1 or expenditure limit applicable to the candidate under this
2 title.

3 “(5) Any funds in a legal and accounting compliance
4 fund shall be treated for purposes of this Act as a separate
5 segregated fund, except that any portion of the fund not
6 used to pay qualified legal and accounting expenditures,
7 and not transferred to a legal and accounting compliance
8 fund for the election cycle for the next general election,
9 shall be treated in the same manner as other campaign
10 funds.

11 “(d) PAYMENT OF TAXES.—The limitation under
12 subsection (b) shall not apply to any expenditure for Fed-
13 eral, State, or local taxes with respect to a candidate’s au-
14 thorized committees.

15 “(e) EXPENDITURES.—For purposes of this title, the
16 term ‘expenditure’ has the meaning given such term by
17 section 301(9), except that in determining any expendi-
18 tures made by, or on behalf of, a candidate or a can-
19 didate’s authorized committees, section 301(9)(B) shall be
20 applied without regard to clause (ii) or (vi) thereof.

21 **“SEC. 503. BENEFITS ELIGIBLE CANDIDATE ENTITLED TO**
22 **RECEIVE.**

23 “(a) IN GENERAL.—An eligible Senate candidate
24 shall be entitled to—

1 “(1) the broadcast media rates provided under
2 section 315(b) of the Communications Act of 1934;

3 “(2) the mailing rates provided in section
4 3626(e) of title 39, United States Code;

5 “(3) payments in the amounts determined
6 under subsection (b); and

7 “(4) voter communication vouchers in the
8 amount determined under subsection (c).

9 “(b) AMOUNT OF PAYMENTS.—(1) For purposes of
10 subsection (a)(3), the amounts determined under this sub-
11 section are—

12 “(A) the independent expenditure amount; and

13 “(B) in the case of an eligible Senate candidate
14 who has an opponent in the general election who re-
15 ceives contributions, or makes (or obligates to make)
16 expenditures, for such election in excess of the gen-
17 eral election expenditure limit under section 502(b),
18 the excess expenditure amount.

19 “(2) For purposes of paragraph (1), the independent
20 expenditure amount is the total amount of independent
21 expenditures made, or obligated to be made, during the
22 general election period by 1 or more persons in opposition
23 to, or on behalf of an opponent of, an eligible Senate can-
24 didate which are required to be reported by such persons
25 under section 304(c) with respect to the general election

1 period and are certified by the Commission under section
2 304(c).

3 “(3) For purposes of paragraph (1), the excess ex-
4 penditure amount is the amount determined as follows:

5 “(A) In the case of a major party candidate, an
6 amount equal to the sum of—

7 “(i) if the excess described in paragraph
8 (1)(B) is not greater than $133\frac{1}{3}$ percent of the
9 general election expenditure limit under section
10 502(b), an amount equal to one-third of such
11 limit applicable to the eligible Senate candidate
12 for the election; plus

13 “(ii) if such excess equals or exceeds $133\frac{1}{3}$
14 percent but is less than $166\frac{2}{3}$ percent of such
15 limit, an amount equal to one-third of such
16 limit; plus

17 “(iii) if such excess equals or exceeds
18 $166\frac{2}{3}$ percent of such limit, an amount equal
19 to one-third of such limit.

20 “(B) In the case of an eligible Senate candidate
21 who is not a major party candidate, an amount
22 equal to the lesser of—

23 “(i) the allowable contributions of the eligi-
24 ble Senate candidate during the applicable pe-

1 riod in excess of the threshold contribution re-
2 quirement under section 501(e); or

3 “(ii) 50 percent of the general election ex-
4 penditure limit applicable to the eligible Senate
5 candidate under section 502(b).

6 “(c) VOTER COMMUNICATION VOUCHERS.—(1) The
7 aggregate amount of voter communication vouchers issued
8 to an eligible Senate candidate shall be equal to 20 percent
9 of the general election expenditure limit under section
10 502(b) (10 percent of such limit if such candidate is not
11 a major party candidate).

12 “(2) Voter communication vouchers shall be used by
13 an eligible Senate candidate to purchase broadcast time
14 during the general election period in the same manner as
15 other broadcast time may be purchased by the candidate.

16 “(d) WAIVER OF EXPENDITURE AND CONTRIBUTION
17 LIMITS.—(1) An eligible Senate candidate who receives
18 payments under subsection (a)(3) which are allocable to
19 the independent expenditure or excess expenditure
20 amounts described in paragraphs (2) and (3) of subsection
21 (b) may make expenditures from such payments to defray
22 expenditures for the general election without regard to the
23 general election expenditure limit under section 502(b).

24 “(2)(A) An eligible Senate candidate who receives
25 benefits under this section may make expenditures for the

1 general election without regard to clause (i) of section
2 501(c)(1)(D) or subsection (a) or (b) of section 502 if any
3 one of the eligible Senate candidate's opponents who is
4 not an eligible Senate candidate either raises aggregate
5 contributions, or makes or becomes obligated to make ag-
6 gregate expenditures, for the general election that exceed
7 200 percent of the general election expenditure limit appli-
8 cable to the eligible Senate candidate under section
9 502(b).

10 “(B) The amount of the expenditures which may be
11 made by reason of subparagraph (A) shall not exceed 100
12 percent of the general election expenditure limit under sec-
13 tion 502(b).

14 “(3)(A) A candidate who receives benefits under this
15 section may receive contributions for the general election
16 without regard to clause (iii) of section 501(c)(1)(D) if—

17 “(i) a major party candidate in the same gen-
18 eral election is not an eligible Senate candidate; or

19 “(ii) any other candidate in the same general
20 election who is not an eligible Senate candidate
21 raises aggregate contributions, or makes or becomes
22 obligated to make aggregate expenditures, for the
23 general election that exceed 75 percent of the gen-
24 eral election expenditure limit applicable to such
25 other candidate under section 502(b).

1 “(B) The amount of contributions which may be re-
2 ceived by reason of subparagraph (A) shall not exceed 100
3 percent of the general election expenditure limit under sec-
4 tion 502(b).

5 “(e) USE OF PAYMENTS.—Payments received by a
6 candidate under subsection (a)(3) shall be used to defray
7 expenditures incurred with respect to the general election
8 period for the candidate. Such payments shall not be
9 used—

10 “(1) except as provided in paragraph (4), to
11 make any payments, directly or indirectly, to such
12 candidate or to any member of the immediate family
13 of such candidate;

14 “(2) to make any expenditure other than ex-
15 penditures to further the general election of such
16 candidate;

17 “(3) to make any expenditures which constitute
18 a violation of any law of the United States or of the
19 State in which the expenditure is made; or

20 “(4) subject to the provisions of section 315(k),
21 to repay any loan to any person except to the extent
22 the proceeds of such loan were used to further the
23 general election of such candidate.

1 **“SEC. 504. CERTIFICATION BY COMMISSION.**

2 “(a) IN GENERAL.—(1) The Commission shall certify
3 to any candidate meeting the requirements of section 502
4 that such candidate is an eligible Senate candidate entitled
5 to benefits under this title. The Commission shall revoke
6 such certification if it determines a candidate fails to con-
7 tinue to meet such requirements.

8 “(2) No later than 48 hours after an eligible Senate
9 candidate files a request with the Secretary of the Senate
10 to receive benefits under section 505, the Commission
11 shall issue a certification stating whether such candidate
12 is eligible for payments under this title or to receive voter
13 communication vouchers and the amount of such pay-
14 ments or vouchers to which such candidate is entitled. The
15 request referred to in the preceding sentence shall con-
16 tain—

17 “(A) such information and be made in accord-
18 ance with such procedures as the Commission may
19 provide by regulation; and

20 “(B) a verification signed by the candidate and
21 the treasurer of the principal campaign committee of
22 such candidate stating that the information fur-
23 nished in support of the request, to the best of their
24 knowledge, is correct and fully satisfies the require-
25 ments of this title.

1 “(b) DETERMINATIONS BY COMMISSION.—All deter-
2 minations (including certifications under subsection (a))
3 made by the Commission under this title shall be final and
4 conclusive, except to the extent that they are subject to
5 examination and audit by the Commission under section
6 505 and judicial review under section 506.

7 **“SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS; CIVIL**
8 **PENALTIES.**

9 “(a) EXAMINATION AND AUDITS.—(1) After each
10 general election, the Commission shall conduct an exam-
11 ination and audit of the campaign accounts of 10 percent
12 of all candidates for the office of United States Senator
13 to determine, among other things, whether such can-
14 didates have complied with the expenditure limits and con-
15 ditions of eligibility of this title, and other requirements
16 of this Act. Such candidates shall be designated by the
17 Commission through the use of an appropriate statistical
18 method of random selection. If the Commission selects a
19 candidate, the Commission shall examine and audit the
20 campaign accounts of all other candidates in the general
21 election for the office the selected candidate is seeking.

22 “(2) The Commission may conduct an examination
23 and audit of the campaign accounts of any candidate in
24 a general election for the office of United States Senator
25 if the Commission determines that there exists reason to

1 believe that such candidate may have violated any provi-
2 sion of this title.

3 “(b) EXCESS PAYMENTS; REVOCATION OF STA-
4 TUS.—(1) If the Commission determines that payments
5 or vouchers were made to an eligible Senate candidate
6 under this title in excess of the aggregate amounts to
7 which such candidate was entitled, the Commission shall
8 so notify such candidate, and such candidate shall pay an
9 amount equal to the excess.

10 “(2) If the Commission revokes the certification of
11 a candidate as an eligible Senate candidate under section
12 504(a)(1), the Commission shall notify the candidate, and
13 the candidate shall pay an amount equal to the payments
14 and vouchers received under this title.

15 “(c) MISUSE OF BENEFITS.—If the Commission de-
16 termines that any amount of any benefit made available
17 to an eligible Senate candidate under this title was not
18 used as provided for in this title, the Commission shall
19 so notify such candidate and such candidate shall pay the
20 amount of such benefit.

21 “(d) EXCESS EXPENDITURES.—If the Commission
22 determines that any eligible Senate candidate who has re-
23 ceived benefits under this title has made expenditures
24 which in the aggregate exceed—

1 “(1) the primary or runoff expenditure limit
2 under section 501(d); or

3 “(2) the general election expenditure limit
4 under section 502(b),

5 the Commission shall so notify such candidate and such
6 candidate shall pay an amount equal to the amount of the
7 excess expenditures.

8 “(e) CIVIL PENALTIES FOR EXCESS EXPENDITURES
9 AND CONTRIBUTIONS.—(1) If the Commission determines
10 that a candidate has committed a violation described in
11 subsection (c), the Commission may assess a civil penalty
12 against such candidate in an amount not greater than 200
13 percent of the amount involved.

14 “(2)(A) LOW AMOUNT OF EXCESS EXPENDITURES.—
15 Any eligible Senate candidate who makes expenditures
16 that exceed any limitation described in paragraph (1) or
17 (2) of subsection (d) by 2.5 percent or less shall pay an
18 amount equal to the amount of the excess expenditures.

19 “(B) MEDIUM AMOUNT OF EXCESS EXPENDI-
20 TURES.—Any eligible Senate candidate who makes ex-
21 penditures that exceed any limitation described in para-
22 graph (1) or (2) of subsection (d) by more than 2.5 per-
23 cent and less than 5 percent shall pay an amount equal
24 to three times the amount of the excess expenditures.

1 “(C) LARGE AMOUNT OF EXCESS EXPENDITURES.—
2 Any eligible Senate candidate who makes expenditures
3 that exceed any limitation described in paragraph (1) or
4 (2) of subsection (d) by 5 percent or more shall pay an
5 amount equal to three times the amount of the excess ex-
6 penditures plus a civil penalty in an amount determined
7 by the Commission.

8 “(f) UNEXPENDED FUNDS.—Any amount received by
9 an eligible Senate candidate under this title may be re-
10 tained for a period not exceeding 120 days after the date
11 of the general election for the liquidation of all obligations
12 to pay expenditures for the general election incurred dur-
13 ing the general election period. At the end of such 120-
14 day period, any unexpended funds received under this title
15 shall be promptly repaid.

16 “(g) LIMIT ON PERIOD FOR NOTIFICATION.—No no-
17 tification shall be made by the Commission under this sec-
18 tion with respect to an election more than three years after
19 the date of such election.

20 **“SEC. 506. JUDICIAL REVIEW.**

21 “(a) JUDICIAL REVIEW.—Any agency action by the
22 Commission made under the provisions of this title shall
23 be subject to review by the United States Court of Appeals
24 for the District of Columbia Circuit upon petition filed in
25 such court within thirty days after the agency action by

1 the Commission for which review is sought. It shall be the
2 duty of the Court of Appeals, ahead of all matters not
3 filed under this title, to advance on the docket and expedi-
4 tiously take action on all petitions filed pursuant to this
5 title.

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

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

12 **“SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL**
13 **PROCEEDINGS.**

14 “(a) APPEARANCES.—The Commission is authorized
15 to appear in and defend against any action instituted
16 under this section and under section 506 either by attor-
17 neys employed in its office or by counsel whom it may ap-
18 point without regard to the provisions of title 5, United
19 States Code, governing appointments in the competitive
20 service, and whose compensation it may fix without regard
21 to the provisions of chapter 51 and subchapter III of chap-
22 ter 53 of such title.

23 “(b) INSTITUTION OF ACTIONS.—The Commission is
24 authorized, through attorneys and counsel described in
25 subsection (a), to institute actions in the district courts

1 of the United States to seek recovery of any amounts de-
2 termined under this title to be payable to the Secretary.

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

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

13 **“SEC. 508. REPORTS TO CONGRESS; REGULATIONS.**

14 “(a) REPORTS.—The Commission shall, as soon as
15 practicable after each election, submit a full report to the
16 Senate setting forth—

17 “(1) the expenditures (shown in such detail as
18 the Commission determines appropriate) made by
19 each eligible Senate candidate and the authorized
20 committees of such candidate;

21 “(2) the amounts certified by the Commission
22 under section 504 as benefits available to each eligi-
23 ble Senate candidate; and

1 “(3) the amount of repayments, if any, required
2 under section 505 and the reasons for each repay-
3 ment required.

4 Each report submitted pursuant to this section shall be
5 printed as a Senate document.

6 “(b) RULES AND REGULATIONS.—The Commission
7 is authorized to prescribe such rules and regulations, in
8 accordance with the provisions of subsection (c), to con-
9 duct such examinations and investigations, and to require
10 the keeping and submission of such books, records, and
11 information, as it deems necessary to carry out the func-
12 tions and duties imposed on it by this title.

13 “(c) STATEMENT TO SENATE.—Thirty days before
14 prescribing any rules or regulation under subsection (b),
15 the Commission shall transmit to the Senate a statement
16 setting forth the proposed rule or regulation and contain-
17 ing a detailed explanation and justification of such rule
18 or regulation.

19 **“SEC. 509. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
20 **VISION COMMERCIALS OF ELIGIBLE SENATE**
21 **CANDIDATES.**

22 ““No eligible Senate candidate may receive amounts
23 under section 503(a)(3) unless such candidate has cer-
24 tified that any television commercial prepared or distrib-
25 uted by the candidate will be prepared in a manner that

1 contains, is accompanied by, or otherwise readily permits
2 closed captioning of the oral content of the commercial
3 to be broadcast by way of line 21 of the vertical blanking
4 interval, or by way of comparable successor technologies.”.

5 (b) EFFECTIVE DATES.—(1) Except as provided in
6 this subsection, the amendment made by subsection (a)
7 shall apply to elections occurring after December 31,
8 1993.

9 (2) For purposes of any expenditure or contribution
10 limit imposed by the amendment made by subsection (a)—

11 (A) no expenditure made before January 1,
12 1993, shall be taken into account, except that there
13 shall be taken into account any such expenditure for
14 goods or services to be provided after such date; and

15 (B) all cash, cash items, and Government secu-
16 rities on hand as of January 1, 1993, shall be taken
17 into account in determining whether the contribution
18 limit is met, except that there shall not be taken into
19 account amounts used during the 60-day period be-
20 ginning on January 1, 1993, to pay for expenditures
21 which were incurred (but unpaid) before such date.

22 (c) EFFECT OF INVALIDITY ON OTHER PROVISIONS
23 OF ACT.—If section 501, 502, or 503 of title V of FECA
24 (as added by this section), or any part thereof, is held

1 to be invalid, all provisions of, and amendments made by,
2 this Act shall be treated as invalid.

3 **SEC. 102. RESTRICTIONS ON ACTIVITIES OF POLITICAL AC-**
4 **TION AND CANDIDATE COMMITTEES IN FED-**
5 **ERAL ELECTIONS.**

6 (a) CONTRIBUTIONS.—Section 315 of FECA (2
7 U.S.C. 441a) is amended by adding at the end the follow-
8 ing new subsection:

9 “(i) CONTRIBUTIONS BY POLITICAL ACTION COM-
10 MITTEES TO SENATE CANDIDATES.—(1) In the case of
11 a candidate for election, or nomination for election, to the
12 United States Senate (and such candidate’s authorized
13 committees), subsection (a)(2)(A) shall be applied by sub-
14 stituting “\$2,500” for “\$5,000”.

15 “(2) It shall be unlawful for a multicandidate political
16 committee to make a contribution to a candidate for elec-
17 tion, or nomination for election, to the United States Sen-
18 ate (or an authorized committee) to the extent that the
19 making of the contribution will cause the amount of con-
20 tributions received by the candidate and the candidate’s
21 authorized committees from multicandidate political com-
22 mittees to exceed the lesser of—

23 “(A) \$825,000; or

24 “(B) the greater of—

25 “(i) \$375,000; or

1 “(ii) 20 percent of the sum of the general
2 election spending limit under section 502(b)
3 plus the primary election spending limit under
4 section 501(d)(1)(A) (without regard to wheth-
5 er the candidate is an eligible Senate can-
6 didate).

7 “(3) In the case of an election cycle in which there
8 is a runoff election, the limit determined under paragraph
9 (2) shall be increased by an amount equal to 20 percent
10 of the runoff election expenditure limit under section
11 501(d)(1)(B) (without regard to whether the candidate is
12 such an eligible Senate candidate).

13 “(4) The \$825,000 and \$375,000 amounts in para-
14 graph (2) shall be increased as of the beginning of each
15 calendar year based on the increase in the price index de-
16 termined under section 315(c), except that for purposes
17 of paragraph (2), the base period shall be calendar year
18 1993.

19 “(5) A candidate or authorized committee that re-
20 ceives a contribution from a multicandidate political com-
21 mittee in excess of the amount allowed under paragraph
22 (2) shall return the amount of such excess contribution
23 to the contributor.”.

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

2 Title III of FECA is amended by adding after section
3 304 the following new section:

4 “REPORTING REQUIREMENTS FOR SENATE CANDIDATES

5 “SEC. 304A. (a) CANDIDATE OTHER THAN ELIGI-
6 BLE SENATE CANDIDATE.—(1) Each candidate for the of-
7 fice of United States Senator who does not file a certifi-
8 cation with the Secretary of the Senate under section
9 501(c) shall file with the Secretary of the Senate a dec-
10 laration as to whether such candidate intends to make ex-
11 penditures for the general election in excess of the general
12 election expenditure limit applicable to an eligible Senate
13 candidate under section 502(b). Such declaration shall be
14 filed at the time provided in section 501(c)(2).

15 “(2) Any candidate for the United States Senate who
16 qualifies for the ballot for a general election—

17 “(A) who is not an eligible Senate candidate
18 under section 501; and

19 “(B) who either raises aggregate contributions,
20 or makes or obligates to make aggregate expendi-
21 tures, for the general election which exceed 75 per-
22 cent of the general election expenditure limit appli-
23 cable to an eligible Senate candidate under section
24 502(b),

25 shall file a report with the Secretary of the Senate within
26 24 hours after such contributions have been raised or such

1 expenditures have been made or obligated to be made (or,
2 if later, within 24 hours after the date of qualification for
3 the general election ballot), setting forth the candidate's
4 total contributions and total expenditures for such election
5 as of such date. Thereafter, such candidate shall file addi-
6 tional reports (until such contributions or expenditures ex-
7 ceed 200 percent of such limit) with the Secretary of the
8 Senate within 24 hours after each time additional con-
9 tributions are raised, or expenditures are made or are obli-
10 gated to be made, which in the aggregate exceed an
11 amount equal to 10 percent of such limit and after the
12 total contributions or expenditures exceed $133\frac{1}{3}$, $166\frac{2}{3}$,
13 and 200 percent of such limit.

14 “(3) The Commission—

15 “(A) shall, within 24 hours of receipt of a dec-
16 laration or report under paragraph (1) or (2), notify
17 each eligible Senate candidate in the election in-
18 volved about such declaration or report; and

19 “(B) if an opposing candidate has raised aggre-
20 gate contributions, or made or has obligated to make
21 aggregate expenditures, in excess of the applicable
22 general election expenditure limit under section
23 502(b), shall certify, pursuant to the provisions of
24 subsection (d), such eligibility for payment of any

1 amount to which such eligible Senate candidate is
2 entitled under section 503(a).

3 “(4) Notwithstanding the reporting requirements
4 under this subsection, the Commission may make its own
5 determination that a candidate in a general election who
6 is not an eligible Senate candidate has raised aggregate
7 contributions, or made or has obligated to make aggregate
8 expenditures, in the amounts which would require a report
9 under paragraph (2). The Commission shall, within 24
10 hours after making each such determination, notify each
11 eligible Senate candidate in the general election involved
12 about such determination, and shall, when such contribu-
13 tions or expenditures exceed the general election expendi-
14 ture limit under section 502(b), certify (pursuant to the
15 provisions of subsection (d)) such candidate’s eligibility for
16 payment of any amount under section 503(a).

17 “(b) REPORTS ON PERSONAL FUNDS.—(1) Any can-
18 didate for the United States Senate who during the elec-
19 tion cycle expends more than the limitation under section
20 502(a) during the election cycle from his personal funds,
21 the funds of his immediate family, and personal loans in-
22 curred by the candidate and the candidate’s immediate
23 family shall file a report with the Secretary of the Senate
24 within 24 hours after such expenditures have been made
25 or loans incurred.

1 “(2) The Commission within 24 hours after a report
2 has been filed under paragraph (1) shall notify each eligi-
3 ble Senate candidate in the election involved about each
4 such report.

5 “(3) Notwithstanding the reporting requirements
6 under this subsection, the Commission may make its own
7 determination that a candidate for the United States Sen-
8 ate has made expenditures in excess of the amount under
9 paragraph (1). The Commission within 24 hours after
10 making such determination shall notify each eligible Sen-
11 ate candidate in the general election involved about each
12 such determination.

13 “(c) CANDIDATES FOR OTHER OFFICES.—(1) Each
14 individual—

15 “(A) who becomes a candidate for the office of
16 United States Senator;

17 “(B) who, during the election cycle for such of-
18 fice, held any other Federal, State, or local office or
19 was a candidate for such other office; and

20 “(C) who expended any amount during such
21 election cycle before becoming a candidate for the of-
22 fice of United States Senator which would have been
23 treated as an expenditure if such individual had
24 been such a candidate, including amounts for activi-

1 ties to promote the image or name recognition of
2 such individual,
3 shall, within 7 days of becoming a candidate for the office
4 of United States Senator, report to the Secretary of the
5 Senate the amount and nature of such expenditures.

6 “(2) Paragraph (1) shall not apply to any expendi-
7 tures in connection with a Federal, State, or local election
8 which has been held before the individual becomes a can-
9 didate for the office of United States Senator.

10 “(3) The Commission shall, as soon as practicable,
11 make a determination as to whether the amounts included
12 in the report under paragraph (1) were made for purposes
13 of influencing the election of the individual to the office
14 of United States Senator.

15 “(d) CERTIFICATIONS.—Notwithstanding section
16 505(a), the certification required by this section shall be
17 made by the Commission on the basis of reports filed in
18 accordance with the provisions of this Act, or on the basis
19 of such Commission’s own investigation or determination.

20 “(e) COPIES OF REPORTS AND PUBLIC INSPEC-
21 TION.—The Secretary of the Senate shall transmit a copy
22 of any report or filing received under this section or of
23 title V (whenever a 24-hour response is required of the
24 Commission) as soon as possible (but no later than 4
25 working hours of the Commission) after receipt of such

1 report or filing, and shall make such report or filing avail-
2 able for public inspection and copying in the same manner
3 as the Commission under section 311(a)(4), and shall pre-
4 serve such reports and filings in the same manner as the
5 Commission under section 311(a)(5).

6 “(f) DEFINITIONS.—For purposes of this section, any
7 term used in this section which is used in title V shall
8 have the same meaning as when used in title V.”.

9 **SEC. 104. DISCLOSURE BY NONELIGIBLE CANDIDATES.**

10 Section 318 of FECA (2 U.S.C. 441d), as amended
11 by section 133, is amended by adding at the end thereof
12 the following:

13 “(e) If a broadcast, cablecast, or other communica-
14 tion is paid for or authorized by a candidate in the general
15 election for the office of United States Senator who is not
16 an eligible Senate candidate, or the authorized committee
17 of such candidate, such communication shall contain the
18 following sentence: ‘This candidate has not agreed to vol-
19 untary campaign spending limits.’”.

1 **Subtitle B—Expenditure Limita-**
2 **tions, Contribution Limitations,**
3 **and Matching Funds for Eligible**
4 **House of Representatives Can-**
5 **didates**

6 **SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE**
7 **OF REPRESENTATIVES CANDIDATES.**

8 (a) IN GENERAL.—FECA, as amended by section
9 101(a), is amended by adding at the end the following new
10 title:

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

17 **“SEC. 601. EXPENDITURE LIMITATIONS.**

18 “(a) IN GENERAL.—An eligible House of Representa-
19 tives candidate may not, in an election cycle, make expend-
20 itures aggregating more than \$600,000, of which not more
21 than \$500,000 may be expended in the general election
22 period.

23 “(b) RUNOFF ELECTION AND SPECIAL ELECTION
24 AMOUNTS.—

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

7 “(2) SPECIAL ELECTION AMOUNT.—An eligible
8 House of Representatives candidate who is a can-
9 didate in a special election may make expenditures
10 aggregating not more than \$500,000 with respect to
11 the special election.

12 “(c) CLOSELY CONTESTED PRIMARY.—If, as deter-
13 mined by the Commission, an eligible House of Represent-
14 atives candidate in a contested primary election wins that
15 primary election by a margin of 10 percentage points or
16 less, subject to the general election period limitation in
17 subsection (a), the candidate may make additional expend-
18 itures of not more than \$150,000 in the general election
19 period. The additional expenditures shall be from con-
20 tributions described in section 603(h) and payments de-
21 scribed in section 604(f).

22 “(d) NONPARTICIPATING OPPONENT PROVISIONS.—

23 “(1) LIMITATION EXCEPTION.—The limitations
24 imposed by subsections (a) and (b) do not apply in
25 the case of an eligible House of Representatives can-

1 didate if any other candidate seeking nomination or
2 election to that office—

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

5 “(B) makes expenditures in excess of 80
6 percent of the general election period limitation
7 specified in subsection (a).

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

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

13 “(B) shall receive matching funds without
14 regard to the ceiling under section 604(a).

15 “(3) REPORTING REQUIREMENT.—A candidate
16 for the office of Representative in, or Delegate or
17 Resident Commissioner to, the Congress—

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

20 “(B) who—

21 “(i) receives contributions in excess of
22 50 percent of the general election period
23 limitation specified in subsection (a)(1); or

24 “(ii) makes expenditures in excess of
25 80 percent of such limit;

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

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

16 “(f) EXEMPTION FOR FUNDRAISING COSTS.—

17 “(1) Any costs incurred by an eligible House of
18 Representatives candidate or his or her authorized
19 committee in connection with the solicitation of con-
20 tributions on behalf of such candidate shall not be
21 considered in the computation of amounts subject to
22 limitation under this section to the extent that the
23 aggregate of such costs does not exceed 5 percent of
24 the limitation under subsection (a) or subsection (b).

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

9 “(g) CIVIL PENALTIES.—

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

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

24 “(3) LARGE AMOUNT OF EXCESS EXPENDI-
25 TURES.—Any eligible House of Representatives can-

1 didate who makes expenditures that exceed a limita-
2 tion under subsection (a) or subsection (b) by 5 per-
3 cent or more shall pay to the Commission an
4 amount equal to three times the amount of the ex-
5 cess expenditures plus a civil penalty in an amount
6 determined by the Commission.

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

13 **“SEC. 602. STATEMENT OF PARTICIPATION; CONTINUING**
14 **ELIGIBILITY.**

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

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

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

1 “(b) FILING.—The statement of participation re-
2 ferred to in subsection (a) shall be filed with the Clerk
3 of the House of Representatives not later than January
4 31 of the election year or on the date on which the can-
5 didate files a statement of candidacy, whichever is later.
6 The Clerk of the House of Representatives shall transmit
7 a statement received under this section to the Commission
8 as soon as possible.

9 **“SEC. 603. CONTRIBUTION LIMITATIONS.**

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

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

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

21 “(2) receives contributions in excess of 50 per-
22 cent of the general election period limitation speci-
23 fied in section 601(a).

24 “(c) TRANSFER PROVISIONS.—

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

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

15 “(d) RUNOFF AMOUNT.—In addition to the contribu-
16 tions under subsection (a), an eligible House of Represent-
17 atives candidate who is a candidate in a runoff election
18 may accept contributions aggregating not more than 20
19 percent of the general election expenditure limit under sec-
20 tion 601(a) in the general election period. Of such con-
21 tributions, one-half may be from political committees and
22 one-half may be from persons referred to in section
23 315(j)(2).

24 “(e) PERSONAL CONTRIBUTIONS.—

1 “(1) IN GENERAL.—An eligible House of Rep-
2 representatives candidate may not, with respect to an
3 election cycle, make contributions to his or her own
4 campaign totaling more than \$50,000 from the per-
5 sonal funds of the candidate. The amount that the
6 candidate may accept from persons referred to in
7 section 315(j)(2) shall be reduced by the amount of
8 contributions made under the preceding sentence.
9 Contributions from the personal funds of a can-
10 didate may not be matched under section 604.

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

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

17 “(B) receives contributions in excess of 50
18 percent of the general election period limitation
19 specified in section 601(a).

20 “(3) TRIPLE MATCH.—An eligible House of
21 Representatives candidate, whose opponent makes
22 contributions to his or her own campaign in excess
23 of 50 percent of the general election period limita-
24 tion specified in section 601(a), shall receive \$3 in

1 matching funds for each \$1 certified by the Commis-
2 sion as matchable for the eligible candidate.

3 “(f) CIVIL PENALTIES.—

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

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

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

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

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

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

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

16 “(3) No funds received by a candidate under section
17 604 may be transferred to a separate legal and accounting
18 compliance fund.

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

1 tional contributions of not more than \$150,000, consisting
2 of—

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

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

7 “(i) INDEXING.—The dollar amounts specified in
8 subsections (a), (d), (e), and (h) shall be adjusted at the
9 beginning of the calendar year based on the increase in
10 the price index determined under section 315(c), except
11 that, for the purposes of such adjustment, the base period
12 shall be calendar year 1993.

13 **“SEC. 604. MATCHING FUNDS.**

14 “(a) IN GENERAL.—An eligible House of Representa-
15 tives candidate shall be entitled to receive, with respect
16 to the general election, an amount equal to the amount
17 of contributions from individuals received by the can-
18 didate, but not more than \$200,000, and not to the extent
19 that contributions from any individual during the election
20 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 \$10,000 and ad-
4 ditional matching payments equal to the amount of such
5 independent expenditures above \$10,000, and expendi-
6 tures may be made from such payments without regard
7 to the limitations in section 601.

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 general election ballot;

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

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

20 “(A) comply with the limitations under
21 sections 601 and 603;

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

1 “(C) comply with any repayment require-
2 ment under section 605.

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 \$60,000. 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. 605. 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. 606. 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. 607. 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 606 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. 608. 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
7 604 for each eligible candidate; and

8 “(3) the amount of repayments, if any, required
9 under section 605, and the reasons for each repay-
10 ment required.

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

13 “(b) DETERMINATIONS BY COMMISSION.—All deter-
14 minations (including certifications under section 604)
15 made by the Commission under this title shall be final and
16 conclusive, except to the extent that they are subject to
17 examination and audit by the Commission under section
18 605 or judicial review under section 606.

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. 609. 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 604 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 VI 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. 122. 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), as amended by section 102, is
12 amended by adding at the end the following new sub-
13 section:

14 “(j)(1) A candidate for the office of Representative
15 in, or Delegate or Resident Commissioner to, the Congress
16 may not, with respect to an election cycle, accept contribu-
17 tions from political committees aggregating in excess of
18 \$200,000.

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

1 “(3) In addition to the contributions under para-
2 graphs (1) and (2), a House of Representatives candidate
3 who is a candidate in a runoff election may accept con-
4 tributions aggregating not more than \$100,000 with re-
5 spect to the runoff election. Of such contributions, one-
6 half may be from political committees and one-half may
7 be from persons referred to in paragraph (2).

8 “(4) Any amount—

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

12 “(B) used for legal and accounting compliance
13 costs, Federal, State, and local taxes,
14 shall not be considered in the computation of amounts
15 subject to limitation under paragraphs (1), (2), and (3),
16 but shall be subject to the other limitations of this Act.

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

24 “(A) not more than \$50,000 from political com-
25 mittees; and

1 “(B) not more than \$50,000 from persons re-
2 ferred to in paragraph (2).

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

9 **SEC. 123. EXCESS FUNDS OF INCUMBENTS WHO ARE CAN-**
10 **DIDATES FOR THE HOUSE OF REPRESENTA-**
11 **TIVES.**

12 An individual who—

13 (1) is a candidate for the office of Representa-
14 tive in, or Delegate or Resident Commissioner to,
15 the Congress in an election cycle to which title VI
16 of FECA (as enacted by section 121 of this Act) ap-
17 plies;

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

19 (3) as of the date of the first statement of par-
20 ticipation submitted by the individual under section
21 502 of FECA, has campaign accounts containing in
22 excess of \$600,000;

23 shall deposit such excess in a separate account subject to
24 the provision of section 304 of FECA. The amount so de-
25 posited shall be available for any lawful purpose other

1 than use, with respect to the individual, for an election
2 for the office of Representative in, or Delegate or Resident
3 Commissioner to, the Congress.

4 **Subtitle C—General Provisions**

5 **SEC. 131. BROADCAST RATES AND PREEMPTION.**

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

8 (1) in paragraph (1)—

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

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

13 (C) by striking out “lowest unit charge of
14 the station for the same class and amount of
15 time for the same period” and insert “lowest
16 charge of the station for the same amount of
17 time for the same period on the same date”;
18 and

19 (2) by adding at the end the following new sen-
20 tence:

21 “In the case of an eligible Senate candidate (as defined
22 in section 301(19) of the Federal Election Campaign Act
23 of 1971), the charges during the general election period
24 (as defined in section 301(21) of such Act) shall not ex-

1 ceed 50 percent of the lowest charge described in para-
2 graph (1).”.

3 (b) PREEMPTION; ACCESS.—Section 315 of such Act
4 (47 U.S.C. 315) is amended by redesignating subsections
5 (c) and (d) as subsections (e) and (f), respectively, and
6 by inserting immediately after subsection (b) the following
7 new subsection:

8 “(c)(1) Except as provided in paragraph (2), a li-
9 censee shall not preempt the use, during any period speci-
10 fied in subsection (b)(1), of a broadcasting station by a
11 legally qualified candidate for public office who has pur-
12 chased and paid for such use pursuant to the provisions
13 of subsection (b)(1).

14 “(2) If a program to be broadcast by a broadcasting
15 station is preempted because of circumstances beyond the
16 control of the broadcasting station, any candidate adver-
17 tising spot scheduled to be broadcast during that program
18 may also be preempted.

19 “(d) In the case of a legally qualified candidate for
20 the United States Senate, a licensee shall provide broad-
21 cast time without regard to the rates charged for the
22 time.”.

1 **SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING**
2 **RATES TO ELIGIBLE HOUSE OF REPRESENTA-**
3 **TIVES AND SENATE CANDIDATES.**

4 Section 3626(e) of title 39, United States Code, is
5 amended—

6 (1) in paragraph (2)(A)—

7 (A) by striking out “and the National”
8 and inserting in lieu thereof “the National”;
9 and

10 (B) by striking out “Committee;” and in-
11 sserting in lieu thereof “Committee, and, subject
12 to paragraph (3), the principal campaign com-
13 mittee of an eligible House of Representatives
14 or Senate candidate;”;

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

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

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

21 “(D) the terms ‘eligible House of Representa-
22 tives candidate’, ‘eligible Senate candidate’, and
23 ‘principal campaign committee’ have the meanings
24 given those terms in section 301 of the Federal
25 Election Campaign Act of 1971.”; and

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

3 “(3) The rate made available under this subsection
4 with respect to an eligible House of Representatives or
5 Senate candidate shall apply only to—

6 “(A) the general election period (as defined in
7 section 301 of the Federal Election Campaign Act of
8 1971); and

9 “(B) that number of pieces of mail equal to the
10 number of individuals in the voting age population
11 (as certified under section 315(e) of such Act) of the
12 congressional district or State, whichever is applica-
13 ble.”.

14 **SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
15 **PENDENT EXPENDITURES.**

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

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

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

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

24 “(3)(A) Any independent expenditure (including
25 those described in subsection (b)(6)(B)(iii) of this section)

1 aggregating \$1,000 or more made after the 20th day, but
2 more than 24 hours, before any election shall be reported
3 within 24 hours after such independent expenditure is
4 made.

5 “(B) Any independent expenditure aggregating
6 \$10,000 or more made at any time up to and including
7 the 20th day before any election shall be reported within
8 48 hours after such independent expenditure is made. An
9 additional statement shall be filed each time independent
10 expenditures aggregating \$10,000 are made with respect
11 to the same election as the initial statement filed under
12 this section.

13 “(C) Such statement shall be filed with the Clerk of
14 the House of Representatives or the Secretary of the Sen-
15 ate, whichever is applicable, and the Secretary of State
16 of the State involved and shall contain the information re-
17 quired by subsection (b)(6)(B)(iii) of this section, includ-
18 ing whether the independent expenditure is in support of,
19 or in opposition to, the candidate involved. The Clerk of
20 the House of Representatives and the Secretary of the
21 Senate shall as soon as possible (but not later than 4
22 working hours of the Commission) after receipt of a state-
23 ment transmit it to the Commission. Not later than 48
24 hours after the Commission receives a report, the Commis-

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

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

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

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

22 “(5) The Commission may make its own determina-
23 tion that a person has made, or has incurred obligations
24 to make, independent expenditures with respect to any
25 Federal election which in the aggregate exceed the applica-

1 ble amounts under paragraph (3) or (4). The Commission
2 shall notify each candidate in such election of such deter-
3 mination within 24 hours of making it.

4 “(6) At the same time as a candidate is notified
5 under paragraph (3), (4), or (5) with respect to expendi-
6 tures during a general election period, the Commission
7 shall certify eligibility to receive benefits under section
8 504(a) or section 604(b).

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

16 **SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.**

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

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

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

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

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

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

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

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

9 “(3) consist of a reasonable degree of color con-
10 trast between the background and the printed state-
11 ment.

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

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

22 “(A) appear in a clearly readable manner
23 with a reasonable degree of color contrast be-
24 tween the background and the printed state-
25 ment, for a period of at least 4 seconds; and

1 “(B) be accompanied by a clearly identifi-
2 able photographic or similar image of the can-
3 didate.

4 “(e) Any broadcast or cablecast communication de-
5 scribed in subsection (a)(3) shall include, in addition to
6 the requirements of those subsections, in a clearly spoken
7 manner, the following statement—

8 ‘ is responsible for the content of
9 this advertisement.’

10 with the blank to be filled in with the name of the political
11 committee or other person paying for the communication
12 and the name of any connected organization of the payor;
13 and, if broadcast or cablecast by means of television, shall
14 also appear in a clearly readable manner with a reasonable
15 degree of color contrast between the background and the
16 printed statement, for a period of at least 4 seconds.”.

17 **SEC. 135. DEFINITIONS.**

18 (a) IN GENERAL.—Section 301 of FECA (2 U.S.C.
19 431) is amended by striking paragraph (19) and inserting
20 the following new paragraphs:

21 “(19) The term ‘eligible Senate candidate’ means a
22 candidate who is eligible under section 502 to receive bene-
23 fits under title V.

24 “(20) The term ‘general election’ means any election
25 which will directly result in the election of a person to a

1 Federal office, but does not include an open primary elec-
2 tion.

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

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

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

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

13 “(A) a candidate’s spouse;

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

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

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

1 such candidate shall be treated as a candidate of a major
2 party for purposes of title V.

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

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

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

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

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

21 “(27) The term ‘runoff election period’ means, with
22 respect to any candidate, the period beginning on the day
23 following the date of the last primary election for the spe-
24 cific office such candidate is seeking and ending on the
25 date of the runoff election for such office.

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

4 “(29) The term ‘eligible House of Representatives
5 candidate’ means a candidate for election to the office of
6 Representative in, or Delegate or Resident Commissioner
7 to, the Congress, who, as determined by the Commission
8 under section 602, is eligible to receive matching payments
9 and other benefits under title VI by reason of filing a
10 statement of participation and complying with the con-
11 tinuing eligibility requirements under section 602.

12 “(30) The term ‘election cycle’ means—

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

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

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

1 **SEC. 136. PROVISIONS RELATING TO FRANKED MASS**
2 **MAILINGS.**

3 (a) MASS MAILINGS OF SENATORS.—Section
4 3210(a)(6) of title 39, United States Code, is amended—

5 (1) in subparagraph (A), by striking “It is the
6 intent of Congress that a Member of, or a Member-
7 elect to, Congress” and inserting “A Member of, or
8 Member-elect to, the House”; and

9 (2) in subparagraph (C)—

10 (A) by striking “if such mass mailing is
11 postmarked fewer than 60 days immediately be-
12 fore the date” and inserting “if such mass mail-
13 ing is postmarked during the calendar year”;
14 and

15 (B) by inserting “or reelection” imme-
16 diately before the period.

17 (b) MASS MAILINGS OF HOUSE MEMBERS.—Section
18 3210 of title 39, United States Code, is amended—

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

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

1 (c) PROHIBITION ON USE OF OFFICIAL FUNDS.—
2 The Committee on House Administration of the House of
3 Representatives may not approve any payment, nor may
4 a Member of the House of Representatives make any ex-
5 penditure from, any allowance of the House of Represent-
6 atives or any other official funds if any portion of the pay-
7 ment or expenditure is for any cost related to a mass mail-
8 ing by a Member of the House of Representatives outside
9 the congressional district of the Member.

10 **TITLE II—INDEPENDENT**
11 **EXPENDITURES**

12 **SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO**
13 **INDEPENDENT EXPENDITURES.**

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

18 “(17)(A) The term ‘independent expenditure’ means
19 an expenditure for an advertisement or other communica-
20 tion that—

21 “(i) contains express advocacy; and

22 “(ii) is made without the participation or co-
23 operation of a candidate or a candidate’s representa-
24 tive.

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

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

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

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

17 “(iv) An expenditure if, in the same election
18 cycle, the person making the expenditure is or has
19 been—

20 “(I) authorized to raise or expend funds on
21 behalf of the candidate or the candidate’s au-
22 thorized committees; or

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

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

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

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

23 “(I) any officer, director, employee or
24 agent of a party committee that has made or
25 intends to make expenditures or contributions,

1 pursuant to subsections (a), (d), or (h) of sec-
2 tion 315 in connection with the candidate’s
3 campaign; or

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

10 For purposes of this subparagraph, the person making the
11 expenditure shall include any officer, director, employee,
12 or agent of such person.

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

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

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

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

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

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

9 **TITLE III—EXPENDITURES**

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

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

12 Section 315 of FECA (2 U.S.C. 441a), as amended
13 by section 122, is amended by adding at the end the fol-
14 lowing new subsection:

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

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

22 “(2) No contribution by a candidate or member of
23 the candidate’s immediate family may be returned to the
24 candidate or member other than as part of a pro rata dis-
25 tribution of excess contributions to all contributors.”.

1 **SEC. 302. EXTENSIONS OF CREDIT.**

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

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

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

7 (3) by inserting at the end the following new
8 clause:

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

16 “(I) in an amount of more than
17 \$1,000; and

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

1 **Subtitle B—Provisions Relating to**
2 **Soft Money of Political Parties**

3 **SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
4 **TEES.**

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

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

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

21 “(C) to political committees established and
22 maintained by a State committee of a political party
23 in any calendar year which, in the aggregate, exceed
24 \$10,000; or”.

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

9 **SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE,**
10 **AND LOCAL PARTY COMMITTEES.**

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

15 “(4) A State committee of a political party, including
16 subordinate committees of that State committee, shall not
17 make expenditures in connection with the general election
18 campaign of a candidate for President of the United
19 States who is affiliated with such party which, in the ag-
20 gregate, exceed an amount equal to 4 cents multiplied by
21 the voting age population of the State, as certified under
22 subsection (e). This paragraph shall not authorize a com-
23 mittee to make expenditures for audio broadcasts (includ-
24 ing television broadcasts) in excess of the amount which
25 could have been made without regard to this paragraph.”.

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

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

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

7 (2) Section 301(9)(B) of FECA (2 U.S.C.
8 431(9)(B)) is amended by repealing clauses (viii) and (ix).

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

12 “POLITICAL PARTY COMMITTEES

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

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

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

24 “(2) Except as provided in paragraph (3), any
25 of the following activities during a Federal election

1 period shall be treated as in connection with an elec-
2 tion for Federal office:

3 “(A) Voter registration and get-out-the-
4 vote activities.

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

10 “(i) are generic campaign activities; or

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

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

19 “(D) Development and maintenance of
20 voter files.

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

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

1 “(A) Any amount described in section
2 301(8)(B)(viii).

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

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

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

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

18 “(i) overhead;

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

22 “(iii) meetings; and

23 “(iv) conducting party elections or
24 caucuses.

1 “(F) Research pertaining solely to State
2 and local candidates and issues.

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

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

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

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

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

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

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

24 “(c) SOLICITATION OF COMMITTEES.—(1) A national
25 committee of a political party may not solicit or accept

1 contributions not subject to the limitations, prohibitions,
2 and reporting requirements of this Act.

3 “(2) Paragraph (1) shall not apply to contributions
4 that—

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

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

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

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

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

22 “(i) maintains, in the account from which
23 payment is made, records of the sources and
24 amounts of funds for purposes of determining
25 whether such requirements are met, and

1 “(ii) certifies to the other committee that
2 such requirements were met.

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

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

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

16 “(5)(A) The national committee of a political
17 party, the congressional campaign committees of a
18 political party, and a State or local committee of a
19 political party, including a subordinate committee of
20 any of the preceding committees, shall not make ex-
21 penditures during any calendar year for activities
22 described in section 324(b)(2) with respect to such
23 State which, in the aggregate, exceed an amount
24 equal to 30 cents multiplied by the voting age popu-

1 lation of the State (as certified under subsection
2 (e)).

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

10 “(C) No adjustment to the limitation under this
11 paragraph shall be made under subsection (c) before
12 1993 and the base period for purposes of any such
13 adjustment shall be 1990.

14 “(D) For purposes of this paragraph—

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

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

23 (3) Section 301(4) of FECA (2 U.S.C. 431(4))
24 is amended by adding at the end the following new
25 sentence: “For purposes of subparagraph (C), any

1 payments for get-out-the-vote activities on behalf of
2 candidates for office other than Federal office shall
3 be treated as payments exempted from the definition
4 of expenditure under paragraph (9) of this section.”.

5 (d) GENERIC ACTIVITIES.—Section 301 of FECA (2
6 U.S.C. 431), as amended by section 135, is amended by
7 adding at the end thereof the following new paragraph:

8 “(31) The term ‘generic campaign activity’
9 means a campaign activity the preponderant purpose
10 or effect of which is to promote a political party
11 rather than any particular Federal or non-Federal
12 candidate.”.

13 **SEC. 313. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
14 **AND OFFICEHOLDERS.**

15 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
16 of FECA (2 U.S.C. 441a), as amended by section 301,
17 is amended by adding at the end thereof the following new
18 subsection:

19 “(l) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
20 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
21 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
22 Act, a candidate for Federal office (or an individual hold-
23 ing Federal office) may not solicit funds to, or receive
24 funds on behalf of, any Federal or non-Federal candidate
25 or political committee—

1 “(A) which are to be expended in connection
2 with any election for Federal office unless such
3 funds are subject to the limitations, prohibitions,
4 and requirements of this Act; or

5 “(B) which are to be expended in connection
6 with any election for other than Federal office unless
7 such funds are not in excess of amounts permitted
8 with respect to Federal candidates and political com-
9 mittees under this Act, and are not from sources
10 prohibited by this Act with respect to elections to
11 Federal office.

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

19 “(B) A person is described in this subparagraph if
20 such person is a candidate for Federal office, an individual
21 holding Federal office, or any national, State, district, or
22 local committee of a political party (including subordinate
23 committees).

24 “(3) The appearance or participation by a candidate
25 or individual in any activity (including fundraising) con-

1 ducted by a committee of a political party or a candidate
2 for other than Federal office shall not be treated as a so-
3 licitation for purposes of paragraph (1) if—

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

6 “(B) such candidate or individual does not so-
7 licit or receive, or make expenditures from, any
8 funds resulting from such activity.

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

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

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

21 “(m) TAX-EXEMPT ORGANIZATIONS.—(1) If during
22 any period an individual is a candidate for, or holds, Fed-
23 eral office, such individual may not during such period so-
24 licit contributions to, or on behalf of, any organization
25 which is described in section 501(c) of the Internal Reve-

1 nue Code of 1986 if a significant portion of the activities
2 of such organization include voter registration or get-out-
3 the-vote campaigns.

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

8 **SEC. 314. REPORTING REQUIREMENTS.**

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

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

18 “(2) A political committee (not described in para-
19 graph (1)) to which section 324 applies shall report all
20 receipts and disbursements in connection with a Federal
21 election (as determined under section 324).

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

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

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

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

12 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
13 301(8) of the Federal Election Campaign Act of 1971 (2
14 U.S.C. 431(8)) is amended by inserting at the end thereof
15 the following:

16 “(C) The exclusions provided in clauses (v)
17 and (viii) of subparagraph (B) shall not apply
18 for purposes of any requirement to report con-
19 tributions under this Act, and all such contribu-
20 tions in excess of \$200 shall be reported.”.

21 (c) REPORTING OF EXEMPT EXPENDITURES.—Sec-
22 tion 301(9) of the Federal Election Campaign Act of 1971
23 (2 U.S.C. 431(9)) is amended by inserting at the end
24 thereof the following:

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

6 (d) CONTRIBUTIONS AND EXPENDITURES OF POLITI-
7 CAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C.
8 431(4)) is amended by adding at the end the following:
9 “For purposes of this paragraph, the receipt of contribu-
10 tions or the making of, or obligating to make, expenditures
11 shall be determined by the Commission on the basis of
12 facts and circumstances, in whatever combination, dem-
13 onstrating a purpose of influencing any election for Fed-
14 eral office, including, but not limited to, the representa-
15 tions made by any person soliciting funds about their in-
16 tended uses; the identification by name of individuals who
17 are candidates for Federal office or of any political party,
18 in general public political advertising; and the proximity
19 to any primary, runoff, or general election of general pub-
20 lic political advertising designed or reasonably calculated
21 to influence voter choice in that election.”.

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

1 tions from the intermediary or conduit to the can-
2 didate if—

3 “(i) the contributions made through the
4 intermediary or conduit are in the form of a
5 check or other negotiable instrument made pay-
6 able to the intermediary or conduit rather than
7 the intended recipient; or

8 “(ii) the intermediary or conduit is—

9 “(I) a political committee with a con-
10 nected organization;

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

13 “(III) a political party;

14 “(IV) a partnership or sole proprietor-
15 ship;

16 “(V) a person required to register
17 under section 308 of the Federal Regula-
18 tion of Lobbying Act (2 U.S.C. 267) or the
19 Foreign Agents Registration Act of 1938
20 (22 U.S.C. 611 et seq.); or

21 “(VI) an organization prohibited from
22 making contributions under section 316, or
23 an officer, employee, or agent of such an
24 organization acting on the organization’s
25 behalf.

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

3 “(I) a candidate or representative of a can-
4 didate receiving contributions to the candidate’s
5 principal campaign committee or authorized
6 committee;

7 “(II) a professional fundraiser com-
8 pensated for fundraising services at the usual
9 and customary rate;

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

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

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

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

23 “(I) contributions delivered to a particular
24 candidate or the candidate’s authorized commit-
25 tee or agent; and

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

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

13 “(I) Soliciting or directly or indirectly ar-
14 ranging the making of a contribution to a par-
15 ticular candidate in the name of, or by using
16 the name of, such a person.

17 “(II) Soliciting or directly or indirectly ar-
18 ranging the making of a contribution to a par-
19 ticular candidate using other than incidental re-
20 sources of such a person.

21 “(III) Soliciting contributions for a par-
22 ticular candidate by substantially directing the
23 solicitations to other officers, employees, or
24 agents of such a person.

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

1 “(i) bona fide joint fundraising efforts con-
2 ducted solely for the purpose of sponsorship of
3 a fundraising reception, dinner, or other similar
4 event, in accordance with rules prescribed by
5 the Commission, by—

6 “(I) 2 or more candidates;

7 “(II) 2 or more national, State, or
8 local committees of a political party within
9 the meaning of section 301(4) acting on
10 their own behalf; or

11 “(III) a special committee formed by
12 2 or more candidates, or a candidate and
13 a national, State, or local committee of a
14 political party acting on their own behalf;
15 or

16 “(ii) fundraising efforts for the benefit of
17 a candidate that are conducted by another can-
18 didate.

19 “(iii) bona fide fundraising efforts con-
20 ducted by and solely on behalf of an individual
21 for the purpose of sponsorship of a fundraising
22 reception, dinner, or other similar event, but
23 only if all contributions are made directly to a
24 candidate or a representative of a candidate.

1 When a contribution is made to a candidate through an
2 intermediary or conduit, the intermediary or conduit shall
3 report the original source and the intended recipient of
4 the contribution to the Commission and to the intended
5 recipient.”.

6 **SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
7 **ING AGE.**

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

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

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

14 “(2) has not, as of the time of such contribu-
15 tion, attained the legal age for voting for elections
16 to Federal office in the State in which such individ-
17 ual resides,

18 shall be treated as having been made by such other indi-
19 vidual. If such individual is the dependent of another indi-
20 vidual and such other individual’s spouse, the contribution
21 shall be allocated among such individuals in the manner
22 determined by them.”.

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

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

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

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

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

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

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

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

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

10 **TITLE V—REPORTING** 11 **REQUIREMENTS**

12 **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-** 13 **ENDAR YEAR BASIS TO AN ELECTION CYCLE** 14 **BASIS.**

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

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

21 Section 304(b)(5)(A) of FECA (2 U.S.C.
22 434(b)(5)(A)) is amended by adding before the semicolon
23 at the end the following: “, except that if a person to
24 whom an expenditure is made is merely providing personal
25 or consulting services and is in turn making expenditures

1 to other persons (not including employees) who provide
2 goods or services to the candidate or his or her authorized
3 committees, the name and address of such other person,
4 together with the date, amount and purpose of such ex-
5 penditure shall also be disclosed”.

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

9 Section 304(b)(3)(A) of FECA (2 U.S.C.
10 434(b)(3)(A)) is amended by striking “\$200” and insert-
11 ing “\$50”.

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

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

15 (1) by striking “and” at the end of paragraph

16 (9);

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

19 (3) by adding at the end the following new
20 paragraph:

21 “(11) maintain computerized indices of con-
22 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 Senate candidate
19 subject to audit under section 505(a) or an authorized
20 committee of an eligible House of Representatives can-
21 didate subject to audit under section 605(a).”.

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

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

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

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

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

7 **SEC. 608. REGULATIONS RELATING TO USE OF NON-FED-**
8 **ERAL MONEY.**

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

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

16 **TITLE VII—BALLOT INITIATIVE**
17 **COMMITTEES**

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

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

22 “(32) The term ‘ballot initiative political committee’
23 means any committee, club, association, or other group of
24 persons which makes ballot initiative expenditures or re-

1 ceives ballot initiative contributions in excess of \$1,000
2 during a calendar year.

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

9 “(A) interstate commerce;

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

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

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

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

24 “(A) interstate commerce;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 **SEC. 704. ORGANIZATION OF BALLOT INITIATIVE COMMIT-**
5 **TEES.**

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

9 “ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

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

16 “(b)(1) Every person who receives a ballot initiative
17 contribution for a ballot initiative political committee
18 shall—

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

22 “(B) if the amount of the ballot initiative con-
23 tribution is in excess of \$50, forward to the treas-
24 urer such contribution, the name, address, and occu-
25 pation of the person making such contribution, and

1 the date of receiving such contribution, no later than
2 10 days after receiving such contribution.

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

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

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

11 “(B) the name and address of any person who
12 makes a ballot initiative contribution in excess of
13 \$50, together with the date and amount of such bal-
14 lot initiative contribution by any person;

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

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

24 “(E) the name and address of every person to
25 whom any ballot initiative expenditure is made, the

1 date, amount and purpose of such ballot initiative
2 expenditure, and the name of the ballot initiative(s)
3 to which the ballot initiative expenditure pertained.

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

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

8 Title III of FECA (2 U.S.C. 431 et seq.), as amended
9 by section 103, is amended by inserting after section 30A
10 (2 U.S.C. 434) the following new section:

11 “BALLOT INITIATIVE COMMITTEE REPORTING
12 REQUIREMENTS

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

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

19 “(A)(i) quarterly reports in each calendar year
20 when a ballot initiative is slated regarding which the
21 ballot initiative committee plans to make or makes
22 a ballot initiative expenditure or plans to receive or
23 receives a ballot initiative contribution, which shall
24 be filed no later than the 15th day after the last day
25 of each calendar quarter: except that the report for
26 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 ments made to the candidate under that sec-
2 tion.”.

3 **SEC. 804. PROHIBITION OF CERTAIN ELECTION-RELATED**
4 **ACTIVITIES OF FOREIGN NATIONALS.**

5 Section 319 of FECA (2 U.S.C. 441e) is amended
6 by adding at the end the following new subsections:

7 “(c) A foreign national shall not directly or indirectly
8 direct, control, influence or participate in any person’s
9 election-related activities, such as the making of contribu-
10 tions or expenditures in connection with elections for any
11 local, State, or Federal office or the administration of a
12 political committee.

13 “(d) A nonconnected political committee or the sepa-
14 rate segregated fund established in accordance with sec-
15 tion 316(b)(2)(C) or any other organization or committee
16 involved in the making of contributions or expenditures
17 in connection with elections for any Federal, State, or
18 local office shall include the following statement on all
19 printed materials produced for the purpose of soliciting
20 contributions:

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

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, or
10 oppose 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 sections 101(c) and 121(b), if
6 any provision of this Act (including any amendment made
7 by this Act), or the application of any such provision to
8 any person or circumstance, is held invalid, the validity
9 of any other provision of this Act, or the application of
10 such provision to other persons and circumstances, shall
11 not be affected 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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