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Referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, and the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

AN ACT

To amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

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

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Bipartisan Campaign Reform Act of 2001”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

Sec. 101. Soft money of political parties.

Sec. 102. Increased contribution limits for State committees of political parties
and aggregate contribution limit for individuals.

Sec. 103. Reporting requirements.

TITLE II—NONCANDIDATE CAMPAIGN EXPENDITURES

Subtitle A—Electioneering Communications

- Sec. 201. Disclosure of electioneering communications.
- Sec. 202. Coordinated communications as contributions.
- Sec. 203. Prohibition of corporate and labor disbursements for electioneering communications.
- Sec. 204. Rules relating to certain targeted electioneering communications.

Subtitle B—Independent and Coordinated Expenditures

- Sec. 211. Definition of independent expenditure.
- Sec. 212. Reporting requirements for certain independent expenditures.
- Sec. 213. Independent versus coordinated expenditures by party.
- Sec. 214. Coordination with candidates or political parties.

TITLE III—MISCELLANEOUS

- Sec. 301. Use of contributed amounts for certain purposes.
- Sec. 302. Prohibition of fundraising on Federal property.
- Sec. 303. Strengthening foreign money ban.
- Sec. 304. Modification of individual contribution limits in response to expenditures from personal funds.
- Sec. 305. Television media rates.
- Sec. 306. Limitation on availability of lowest unit charge for Federal candidates attacking opposition.
- Sec. 307. Software for filing reports and prompt disclosure of contributions.
- Sec. 308. Modification of contribution limits.
- Sec. 309. Television media rates for national parties conditioned on adherence to existing coordinated spending limits.
- Sec. 310. Donations to Presidential Inaugural Committee.
- Sec. 311. Prohibition on fraudulent solicitation of funds.
- Sec. 312. Study and report on clean money clean elections laws.
- Sec. 313. Clarity standards for identification of sponsors of election-related advertising.
- Sec. 314. Increase in penalties.
- Sec. 315. Statute of limitations.
- Sec. 316. Sentencing guidelines.
- Sec. 317. Increase in penalties imposed for violations of conduit contribution ban.
- Sec. 318. Restriction on increased contribution limits by taking into account candidate's available funds.

TITLE IV—SEVERABILITY; EFFECTIVE DATE

- Sec. 401. Severability.
- Sec. 402. Effective date.
- Sec. 403. Expedited review.

TITLE V—ADDITIONAL DISCLOSURE PROVISIONS

- Sec. 501. Internet access to records.
- Sec. 502. Maintenance of website of election reports.
- Sec. 503. Additional monthly and quarterly disclosure reports.
- Sec. 504. Public access to broadcasting records.

1 **TITLE I—REDUCTION OF**
2 **SPECIAL INTEREST INFLUENCE**

3 **SEC. 101. SOFT MONEY OF POLITICAL PARTIES.**

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

7 **“SEC. 323. SOFT MONEY OF POLITICAL PARTIES.**

8 “(a) NATIONAL COMMITTEES.—

9 “(1) IN GENERAL.—A national committee of a
10 political party (including a national congressional
11 campaign committee of a political party) may not so-
12 licit, receive, or direct to another person a contribu-
13 tion, donation, or transfer of funds or any other
14 thing of value, or spend any funds, that are not sub-
15 ject to the limitations, prohibitions, and reporting
16 requirements of this Act.

17 “(2) APPLICABILITY.— The prohibition estab-
18 lished by paragraph (1) applies to any such national
19 committee, any officer or agent of such a national
20 committee, and any entity that is directly or indi-
21 rectly established, financed, maintained, or con-
22 trolled by such a national committee.

23 “(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

24 “(1) IN GENERAL.—(A) Except as provided in
25 paragraph (2), an amount that is expended or dis-

1 bursed for Federal election activity by a State, dis-
2 trict, or local committee of a political party (includ-
3 ing an entity that is directly or indirectly estab-
4 lished, financed, maintained, or controlled by a
5 State, district, or local committee of a political party
6 and an officer or agent acting on behalf of such
7 committee or entity), or by an entity directly or indi-
8 rectly established, financed, maintained, or con-
9 trolled by or acting on behalf of 1 or more can-
10 didates for State or local office, or individuals hold-
11 ing State or local office, shall be made from funds
12 subject to the limitations, prohibitions, and reporting
13 requirements of this Act.

14 “(B) Nothing in this subsection shall prevent
15 the authorized campaign committee of a candidate
16 for State or local office from raising and spending
17 funds permitted under applicable State law other
18 than for a Federal election activity that refers to a
19 clearly identified candidate for election to Federal
20 office.

21 “(2) APPLICABILITY.—

22 “(A) IN GENERAL.—Notwithstanding
23 clause (i) or (ii) of section 301(20)(A), and sub-
24 ject to subparagraph (B), paragraph (1) shall
25 not apply to any amount expended or disbursed

1 by a State, district, or local committee of a po-
2 litical party for an activity described in either
3 such clause to the extent the expenditures or
4 disbursements for such activity are allocated
5 under regulations prescribed by the Commission
6 as expenditures or disbursements that may be
7 paid from funds not subject to the limitations,
8 prohibitions, and reporting requirements of this
9 Act.

10 “(B) CONDITIONS.—Subparagraph (A)
11 shall only apply if—

12 “(i) the activity does not refer to a
13 clearly identified candidate for Federal of-
14 fice; and

15 “(ii) the expenditures or disburse-
16 ments described in subparagraph (A) are
17 paid directly or indirectly from amounts
18 donated in accordance with State law, ex-
19 cept that no person (and any person estab-
20 lished, financed, maintained, or controlled
21 by such person) may donate more than
22 \$10,000 to a State, district or local com-
23 mittee of a political party in a calendar
24 year to be used for the expenditures or dis-
25 bursements described in subparagraph (A).

1 “(c) FUNDRAISING COSTS.—An amount spent by a
2 person described in subsection (a) or (b) to raise funds
3 that are used, in whole or in part, to pay the costs of
4 a Federal election activity shall be made from funds sub-
5 ject to the limitations, prohibitions, and reporting require-
6 ments of this Act.

7 “(d) TAX-EXEMPT ORGANIZATIONS.—A national,
8 State, district, or local committee of a political party (in-
9 cluding a national congressional campaign committee of
10 a political party), an entity that is directly or indirectly
11 established, financed, maintained, or controlled by any
12 such national, State, district, or local committee or its
13 agent, and an officer or agent acting on behalf of any such
14 party committee or entity, shall not solicit any funds for,
15 or make or direct any donations to—

16 “(1) an organization that is described in section
17 501(c) of the Internal Revenue Code of 1986 and
18 exempt from taxation under section 501(a) of such
19 Code (or has submitted an application for deter-
20 mination of tax exempt status under such section);
21 or

22 “(2) an organization described in section 527 of
23 such Code (other than a political committee).

24 “(e) CANDIDATES.—

1 “(1) IN GENERAL.—A candidate, individual
2 holding Federal office, agent of a candidate or an in-
3 dividual holding Federal office, or an entity directly
4 or indirectly established, financed, maintained or
5 controlled by or acting on behalf of 1 or more can-
6 didates or individuals holding Federal office, shall
7 not—

8 “(A) solicit, receive, direct, transfer, or
9 spend funds in connection with an election for
10 Federal office, including funds for any Federal
11 election activity, unless the funds are subject to
12 the limitations, prohibitions, and reporting re-
13 quirements of this Act; or

14 “(B) solicit, receive, direct, transfer, or
15 spend funds in connection with any election
16 other than an election for Federal office or dis-
17 burse funds in connection with such an election
18 unless the funds—

19 “(i) are not in excess of the amounts
20 permitted with respect to contributions to
21 candidates and political committees under
22 paragraphs (1) and (2) of section 315(a);
23 and

24 “(ii) are not from sources prohibited
25 by this Act from making contributions in

1 connection with an election for Federal of-
2 fice.

3 “(2) STATE LAW.—Paragraph (1) does not
4 apply to the solicitation, receipt, or spending of
5 funds by an individual who is a candidate for a
6 State or local office in connection with such election
7 for State or local office if the solicitation, receipt, or
8 spending of funds is permitted under State law for
9 any activity other than for a Federal election activity
10 that refers to a clearly identified candidate for elec-
11 tion to Federal office.

12 “(3) FUNDRAISING EVENTS.—Notwithstanding
13 paragraph (1), a candidate or an individual holding
14 Federal office may attend, speak, or be a featured
15 guest at a fundraising event for a State, district, or
16 local committee of a political party.”.

17 (b) DEFINITIONS.—Section 301 of the Federal Elec-
18 tion Campaign Act of 1971 (2 U.S.C. 431) is amended
19 by adding at the end thereof the following:

20 “(20) FEDERAL ELECTION ACTIVITY.—

21 “(A) IN GENERAL.—The term ‘Federal
22 election activity’ means—

23 “(i) voter registration activity during
24 the period that begins on the date that is
25 120 days before the date a regularly sched-

1 uled Federal election is held and ends on
2 the date of the election;

3 “(ii) voter identification, get-out-the-
4 vote activity, or generic campaign activity
5 conducted in connection with an election in
6 which a candidate for Federal office ap-
7 pears on the ballot (regardless of whether
8 a candidate for State or local office also
9 appears on the ballot);

10 “(iii) a public communication that re-
11 fers to a clearly identified candidate for
12 Federal office (regardless of whether a
13 candidate for State or local office is also
14 mentioned or identified) and that promotes
15 or supports a candidate for that office, or
16 attacks or opposes a candidate for that of-
17 fice (regardless of whether the communica-
18 tion expressly advocates a vote for or
19 against a candidate); or

20 “(iv) services provided during any
21 month by an employee of a State, district,
22 or local committee of a political party who
23 spends more than 25 percent of that indi-
24 vidual’s compensated time during that

1 month on activities in connection with a
2 Federal election.

3 “(B) ALTERNATE DEFINITION IF SUB-
4 PARAGRAPH (A)(iii) HELD UNCONSTITU-
5 TIONAL.—If clause (iii) of subparagraph (A) is
6 held to be unconstitutional in a final decision by
7 a court of competent jurisdiction, then in lieu of
8 the provisions of that clause, subparagraph (A)
9 shall be applied as if it contained a clause (iii)
10 that read ‘a broadcast, cable, or satellite com-
11 munication that—

12 “‘(i) promotes or supports a can-
13 didate for Federal office, or attacks or op-
14 poses a candidate for Federal office, with-
15 out regard to whether the communication
16 advocates a vote for or against a can-
17 didate; and

18 “‘(ii) is suggestive of no plausible
19 meaning other than an exhortation to vote
20 for or against a specific candidate.’.

21 “(C) EXCLUDED ACTIVITY.—The term
22 ‘Federal election activity’ does not include an
23 amount expended or disbursed by a State, dis-
24 trict, or local committee of a political party
25 for—

1 “(i) a public communication that re-
2 fers solely to a clearly identified candidate
3 for State or local office, if the communica-
4 tion is not a Federal election activity de-
5 scribed in subparagraph (A)(i) or (ii);

6 “(ii) a contribution to a candidate for
7 State or local office, provided the contribu-
8 tion is not designated or used to pay for a
9 Federal election activity described in sub-
10 paragraph (A);

11 “(iii) the costs of a State, district, or
12 local political convention;

13 “(iv) the costs of grassroots campaign
14 materials, including buttons, bumper stick-
15 ers, and yard signs, that name or depict
16 only a candidate for State or local office;
17 and

18 “(v) the cost of constructing or pur-
19 chasing an office facility or equipment for
20 a State, district, or local committee.

21 “(21) GENERIC CAMPAIGN ACTIVITY.—The
22 term ‘generic campaign activity’ means an activity
23 that promotes a political party and does not promote
24 a candidate or non-Federal candidate.

1 “(22) PUBLIC COMMUNICATION.—The term
2 ‘public communication’ means a communication by
3 means of any broadcast, cable, or satellite commu-
4 nication, newspaper, magazine, outdoor advertising
5 facility, mass mailing, or telephone bank to the gen-
6 eral public, or any other form of general public polit-
7 ical advertising.

8 “(23) MASS MAILING.—The term ‘mass mail-
9 ing’ means a mailing of more than 500 pieces of
10 mail matter of an identical or substantially similar
11 nature within any 30-day period.

12 “(24) TELEPHONE BANK.—The term ‘telephone
13 bank’ means more than 500 telephone calls of an
14 identical or substantially similar nature within any
15 30-day period.”.

16 **SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE**
17 **COMMITTEES OF POLITICAL PARTIES AND**
18 **AGGREGATE CONTRIBUTION LIMIT FOR INDI-**
19 **VIDUALS.**

20 (a) CONTRIBUTION LIMIT FOR STATE COMMITTEES
21 OF POLITICAL PARTIES.—Section 315(a)(1) of the Fed-
22 eral Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1))
23 is amended—

24 (1) in subparagraph (B), by striking “or” at
25 the end;

1 (2) in subparagraph (C)—

2 (A) by inserting “(other than a committee
3 described in subparagraph (D))” after “com-
4 mittee”; and

5 (B) by striking the period at the end and
6 inserting “; or”; and

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

8 “(D) to a political committee established and
9 maintained by a State committee of a political party
10 in any calendar year which, in the aggregate, exceed
11 \$10,000.”.

12 (b) AGGREGATE CONTRIBUTION LIMIT FOR INDI-
13 VIDUAL.—Section 315(a)(3) of the Federal Election Cam-
14 paign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by
15 striking “\$25,000” and inserting “\$30,000”.

16 **SEC. 103. REPORTING REQUIREMENTS.**

17 (a) REPORTING REQUIREMENTS.—Section 304 of the
18 Federal Election Campaign Act of 1971 (2 U.S.C. 434)
19 is amended by adding at the end the following:

20 “(e) POLITICAL COMMITTEES.—

21 “(1) NATIONAL AND CONGRESSIONAL POLIT-
22 ICAL COMMITTEES.—The national committee of a
23 political party, any national congressional campaign
24 committee of a political party, and any subordinate

1 committee of either, shall report all receipts and dis-
2 bursements during the reporting period.

3 “(2) OTHER POLITICAL COMMITTEES TO WHICH
4 SECTION 323 APPLIES.—In addition to any other re-
5 porting requirements applicable under this Act, a
6 political committee (not described in paragraph (1))
7 to which section 323(b)(1)(A) applies shall report all
8 receipts and disbursements made for activities de-
9 scribed in section 301(20)(A), other than activities
10 described in section 323(b)(1)(B).

11 “(3) ITEMIZATION.—If a political committee
12 has receipts or disbursements to which this sub-
13 section applies from any person aggregating in ex-
14 cess of \$200 for any calendar year, the political
15 committee shall separately itemize its reporting for
16 such person in the same manner as required in para-
17 graphs (3)(A), (5), and (6) of subsection (b).

18 “(4) REPORTING PERIODS.—Reports required
19 to be filed under this subsection shall be filed for the
20 same time periods required for political committees
21 under subsection (a)(4)(B).”.

22 (b) BUILDING FUND EXCEPTION TO THE DEFINI-
23 TION OF CONTRIBUTION.—Section 301(8)(B) of the Fed-
24 eral Election Campaign Act of 1971 (2 U.S.C. 431(8)(B))
25 is amended—

1 (1) by striking clause (viii); and

2 (2) by redesignating clauses (ix) through (xv)

3 as clauses (viii) through (xiv), respectively.

4 **TITLE II—NONCANDIDATE**
5 **CAMPAIGN EXPENDITURES**

6 **Subtitle A—Electioneering**
7 **Communications**

8 **SEC. 201. DISCLOSURE OF ELECTIONEERING COMMUNICA-**
9 **TIONS.**

10 Section 304 of the Federal Election Campaign Act
11 of 1971 (2 U.S.C. 434), as amended by section 103, is
12 amended by adding at the end the following new sub-
13 section:

14 “(f) **ADDITIONAL STATEMENTS ON ELECTIONEERING**
15 **COMMUNICATIONS.—**

16 “(1) **STATEMENT REQUIRED.—**Every person
17 who makes a disbursement for electioneering com-
18 munications in an aggregate amount in excess of
19 \$10,000 during any calendar year shall, within 24
20 hours of each disclosure date, file with the Commis-
21 sion a statement containing the information de-
22 scribed in paragraph (2).

23 “(2) **CONTENTS OF STATEMENT.—**Each state-
24 ment required to be filed under this subsection shall

1 be made under penalty of perjury and shall contain
2 the following information:

3 “(A) The identification of the person mak-
4 ing the disbursement, of any entity sharing or
5 exercising direction or control over the activities
6 of such person, and of the custodian of the
7 books and accounts of the person making the
8 disbursement.

9 “(B) The principal place of business of the
10 person making the disbursement, if not an indi-
11 vidual.

12 “(C) The amount of each disbursement of
13 more than \$200 during the period covered by
14 the statement and the identification of the per-
15 son to whom the disbursement was made.

16 “(D) The elections to which the election-
17 eering communications pertain and the names
18 (if known) of the candidates identified or to be
19 identified.

20 “(E) If the disbursements were paid out of
21 a segregated bank account which consists of
22 funds contributed solely by individuals directly
23 to this account for electioneering communica-
24 tions, the names and addresses of all contribu-
25 tors who contributed an aggregate amount of

1 \$1,000 or more to that account during the pe-
2 riod beginning on the first day of the preceding
3 calendar year and ending on the disclosure
4 date. Nothing in this subparagraph is to be
5 construed as a prohibition on the use of funds
6 in such a segregated account for a purpose
7 other than electioneering communications.

8 “(F) If the disbursements were paid out of
9 funds not described in subparagraph (E), the
10 names and addresses of all contributors who
11 contributed an aggregate amount of \$1,000 or
12 more to the organization during the period be-
13 ginning on the first day of the preceding cal-
14 endar year and ending on the disclosure date.

15 “(3) ELECTIONEERING COMMUNICATION.—For
16 purposes of this subsection—

17 “(A)(i) IN GENERAL.—The term ‘election-
18 eering communication’ means any broadcast,
19 cable, or satellite communication which—

20 “(I) refers to a clearly identified can-
21 didate for Federal office;

22 “(II) is made within—

23 “(aa) 60 days before a general,
24 special, or runoff election for such
25 Federal office; or

1 “(bb) 30 days before a primary
2 or preference election, or a convention
3 or caucus of a political party that has
4 authority to nominate a candidate, for
5 such Federal office; and

6 “(III) is made to an audience that in-
7 cludes members of the electorate for such
8 election, convention, or caucus; and

9 “(ii) if clause (i) of paragraph (3)(A) is
10 held to be constitutionally insufficient by final
11 judicial decision to support the regulation pro-
12 vided herein, then the term ‘electioneering com-
13 munication’ means any broadcast, cable, or sat-
14 ellite communication which promotes or sup-
15 ports a candidate for that office, or attacks or
16 opposes a candidate for that office (regardless
17 of whether the communication expressly advo-
18 cates a vote for or against a candidate) and
19 which also is suggestive of no plausible meaning
20 other than an exhortation to vote for or against
21 a specific candidate. Nothing in this subsection
22 shall be construed to affect the interpretation or
23 application of section 100.22(b) of title 11,
24 Code of Federal Regulations.

1 “(B) EXCEPTIONS.—The term ‘election-
2 eering communication’ does not include—

3 “(i) a communication appearing in a
4 news story, commentary, or editorial dis-
5 tributed through the facilities of any
6 broadcasting station, unless such facilities
7 are owned or controlled by any political
8 party, political committee, or candidate; or

9 “(ii) a communication which con-
10 stitutes an expenditure or an independent
11 expenditure under this Act.

12 “(4) DISCLOSURE DATE.—For purposes of this
13 subsection, the term ‘disclosure date’ means—

14 “(A) the first date during any calendar
15 year by which a person has made disbursements
16 for electioneering communications aggregating
17 in excess of \$10,000; and

18 “(B) any other date during such calendar
19 year by which a person has made disbursements
20 for electioneering communications aggregating
21 in excess of \$10,000 since the most recent dis-
22 closure date for such calendar year.

23 “(5) CONTRACTS TO DISBURSE.—For purposes
24 of this subsection, a person shall be treated as hav-

1 ing made a disbursement if the person has executed
2 a contract to make the disbursement.

3 “(6) COORDINATION WITH OTHER REQUIRE-
4 MENTS.—Any requirement to report under this sub-
5 section shall be in addition to any other reporting
6 requirement under this Act.”.

7 **SEC. 202. COORDINATED COMMUNICATIONS AS CONTRIBU-**
8 **TIONS.**

9 Section 315(a)(7) of the Federal Election Campaign
10 Act of 1971 (2 U.S.C. 441a(a)(7)) is amended —

11 (1) by redesignating subparagraph (C) as sub-
12 paragraph (D); and

13 (2) by inserting after subparagraph (B) the fol-
14 lowing:

15 “(C) if—

16 “(i) any person makes, or contracts to
17 make, any disbursement for any election-
18 eering communication (within the meaning
19 of section 304(f)(3)); and

20 “(ii) such disbursement is coordinated
21 with a candidate or an authorized com-
22 mittee of such candidate, a Federal, State,
23 or local political party or committee there-
24 of, or an agent or official of any such can-
25 didate, party, or committee;

1 such disbursement or contracting shall be treat-
 2 ed as a contribution to the candidate supported
 3 by the electioneering communication or that
 4 candidate’s party and as an expenditure by that
 5 candidate or that candidate’s party; and”.

6 **SEC. 203. PROHIBITION OF CORPORATE AND LABOR DIS-**
 7 **BURSEMENTS FOR ELECTIONEERING COM-**
 8 **MUNICATIONS.**

9 (a) IN GENERAL.—Section 316(b)(2) of the Federal
 10 Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is
 11 amended by inserting “or for any applicable electioneering
 12 communication” before “, but shall not include”.

13 (b) APPLICABLE ELECTIONEERING COMMUNICA-
 14 TION.—Section 316 of such Act is amended by adding at
 15 the end the following:

16 “(c) RULES RELATING TO ELECTIONEERING COM-
 17 MUNICATIONS.—

18 “(1) APPLICABLE ELECTIONEERING COMMU-
 19 NICATION.—For purposes of this section, the term
 20 ‘applicable electioneering communication’ means an
 21 electioneering communication (within the meaning of
 22 section 304(f)(3)) which is made by any entity de-
 23 scribed in subsection (a) of this section or by any
 24 other person using funds donated by an entity de-
 25 scribed in subsection (a) of this section.

1 “(2) EXCEPTION.—Notwithstanding paragraph
2 (1), the term ‘applicable electioneering communica-
3 tion’ does not include a communication by an orga-
4 nization described in section 501(c)(4) of the Inter-
5 nal Revenue Code of 1986 or a political organization
6 (as defined in section 527(e)(1) of such Code) made
7 under section 304(f)(2) (E) or (F) of this Act if the
8 communication is paid for exclusively by funds pro-
9 vided directly by individuals who are United States
10 citizens or lawfully admitted for permanent residence
11 as defined in section 1101(a)(2) of the Immigration
12 and Nationality Act (8 U.S.C. 1101(a)(2)). For pur-
13 poses of the preceding sentence, the term ‘provided
14 directly by individuals’ does not include funds the
15 source of which is an entity described in subsection
16 (a) of this section.

17 “(3) SPECIAL OPERATING RULES.—For pur-
18 poses of paragraph (1), the following rules shall
19 apply:

20 “(A) An electioneering communication
21 shall be treated as made by an entity described
22 in subsection (a) if—

23 “(i) an entity described in subsection
24 (a) directly or indirectly disburses any

1 amount for any of the costs of the commu-
2 nication; or

3 “(ii) any amount is disbursed for the
4 communication by a corporation or labor
5 organization or a State or local political
6 party or committee thereof that receives
7 anything of value from an entity described
8 in subsection (a), except that this clause
9 shall not apply to any communication the
10 costs of which are defrayed entirely out of
11 a segregated account to which only individ-
12 uals can contribute, as described in section
13 304(f)(2)(E).

14 “(B) A section 501(c)(4) organization that
15 derives amounts from business activities or re-
16 ceives funds from any entity described in sub-
17 section (a) shall be considered to have paid for
18 any communication out of such amounts unless
19 such organization paid for the communication
20 out of a segregated account to which only indi-
21 viduals can contribute, as described in section
22 304(f)(2)(E).

23 “(4) DEFINITIONS AND RULES.—For purposes
24 of this subsection—

1 “(A) the term ‘section 501(c)(4) organiza-
2 tion’ means—

3 “(i) an organization described in sec-
4 tion 501(c)(4) of the Internal Revenue
5 Code of 1986 and exempt from taxation
6 under section 501(a) of such Code; or

7 “(ii) an organization which has sub-
8 mitted an application to the Internal Rev-
9 enue Service for determination of its status
10 as an organization described in clause (i);
11 and

12 “(B) a person shall be treated as having
13 made a disbursement if the person has executed
14 a contract to make the disbursement.

15 “(5) COORDINATION WITH INTERNAL REVENUE
16 CODE.—Nothing in this subsection shall be con-
17 strued to authorize an organization exempt from
18 taxation under section 501(a) of the Internal Rev-
19 enue Code of 1986 to carry out any activity which
20 is prohibited under such Code.”.

21 **SEC. 204. RULES RELATING TO CERTAIN TARGETED ELEC-**
22 **TIONEERING COMMUNICATIONS.**

23 Section 316(c) of the Federal Election Campaign Act
24 of 1971 (2 U.S.C. 441b), as added by section 203, is
25 amended by adding at the end the following:

1 “(6) SPECIAL RULES FOR TARGETED COMMU-
2 NICATIONS.—

3 “(A) EXCEPTION DOES NOT APPLY.—
4 Paragraph (2) shall not apply in the case of a
5 targeted communication that is made by an or-
6 ganization described in such paragraph.

7 “(B) TARGETED COMMUNICATION.—For
8 purposes of subparagraph (A), the term ‘tar-
9 geted communication’ means an electioneering
10 communication (as defined in section 304(f)(3))
11 that is distributed from a television or radio
12 broadcast station or provider of cable or sat-
13 ellite television service whose audience consists
14 primarily of residents of the State for which the
15 clearly identified candidate is seeking office.”.

16 **Subtitle B—Independent and**
17 **Coordinated Expenditures**

18 **SEC. 211. DEFINITION OF INDEPENDENT EXPENDITURE.**

19 Section 301 of the Federal Election Campaign Act
20 (2 U.S.C. 431) is amended by striking paragraph (17) and
21 inserting the following:

22 “(17) INDEPENDENT EXPENDITURE.—The
23 term ‘independent expenditure’ means an expendi-
24 ture by a person—

1 “(A) expressly advocating the election or
2 defeat of a clearly identified candidate; and

3 “(B) that is not a coordinated activity with
4 such candidate or such candidate’s agent or a
5 person who has engaged in coordinated activity
6 with such candidate or such candidate’s
7 agent.”.

8 **SEC. 212. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
9 **PENDENT EXPENDITURES.**

10 Section 304 of the Federal Election Campaign Act
11 of 1971 (2 U.S.C. 434) (as amended by section 201) is
12 amended—

13 (1) in subsection (c)(2), by striking the undes-
14 ignated matter after subparagraph (C); and

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

16 “(g) TIME FOR REPORTING CERTAIN EXPENDI-
17 TURES.—

18 “(1) EXPENDITURES AGGREGATING \$1,000.—

19 “(A) INITIAL REPORT.—A person (includ-
20 ing a political committee) that makes or con-
21 tracts to make independent expenditures aggre-
22 gating \$1,000 or more after the 20th day, but
23 more than 24 hours, before the date of an elec-
24 tion shall file a report describing the expendi-
25 tures within 24 hours.

1 “(B) ADDITIONAL REPORTS.—After a per-
2 son files a report under subparagraph (A), the
3 person shall file an additional report within 24
4 hours after each time the person makes or con-
5 tracts to make independent expenditures aggreg-
6 gating an additional \$1,000 with respect to the
7 same election as that to which the initial report
8 relates.

9 “(2) EXPENDITURES AGGREGATING \$10,000.—

10 “(A) INITIAL REPORT.—A person (includ-
11 ing a political committee) that makes or con-
12 tracts to make independent expenditures aggreg-
13 gating \$10,000 or more at any time up to and
14 including the 20th day before the date of an
15 election shall file a report describing the ex-
16 penditures within 48 hours.

17 “(B) ADDITIONAL REPORTS.—After a per-
18 son files a report under subparagraph (A), the
19 person shall file an additional report within 48
20 hours after each time the person makes or con-
21 tracts to make independent expenditures aggreg-
22 gating an additional \$10,000 with respect to
23 the same election as that to which the initial re-
24 port relates.

1 “(3) PLACE OF FILING; CONTENTS.—A report
2 under this subsection—

3 “(A) shall be filed with the Commission;
4 and

5 “(B) shall contain the information required
6 by subsection (b)(6)(B)(iii), including the name
7 of each candidate whom an expenditure is in-
8 tended to support or oppose.”.

9 **SEC. 213. INDEPENDENT VERSUS COORDINATED EXPENDI-**
10 **TURES BY PARTY.**

11 Section 315(d) of the Federal Election Campaign Act
12 (2 U.S.C. 441a(d)) is amended—

13 (1) in paragraph (1), by striking “and (3)” and
14 inserting “, (3), and (4)”; and

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

16 “(4) INDEPENDENT VERSUS COORDINATED EX-
17 PENDITURES BY PARTY.—

18 “(A) IN GENERAL.—On or after the date
19 on which a political party nominates a can-
20 didate, a committee of the political party shall
21 not make both expenditures under this sub-
22 section and independent expenditures (as de-
23 fined in section 301(17)) with respect to the
24 candidate during the election cycle.

1 “(B) CERTIFICATION.—Before making a
2 coordinated expenditure under this subsection
3 with respect to a candidate, a committee of a
4 political party shall file with the Commission a
5 certification, signed by the treasurer of the
6 committee, that the committee, on or after the
7 date described in subparagraph (A), has not
8 and shall not make any independent expendi-
9 ture with respect to the candidate during the
10 same election cycle.

11 “(C) APPLICATION.—For purposes of this
12 paragraph, all political committees established
13 and maintained by a national political party
14 (including all congressional campaign commit-
15 tees) and all political committees established
16 and maintained by a State political party (in-
17 cluding any subordinate committee of a State
18 committee) shall be considered to be a single
19 political committee.

20 “(D) TRANSFERS.—A committee of a po-
21 litical party that submits a certification under
22 subparagraph (B) with respect to a candidate
23 shall not, during an election cycle, transfer any
24 funds to, assign authority to make coordinated
25 expenditures under this subsection to, or receive

1 a transfer of funds from, a committee of the po-
2 litical party that has made or intends to make
3 an independent expenditure with respect to the
4 candidate.”.

5 **SEC. 214. COORDINATION WITH CANDIDATES OR POLIT-**
6 **ICAL PARTIES.**

7 (a) IN GENERAL.—

8 (1) COORDINATED EXPENDITURE OR DIS-
9 BURSEMENT TREATED AS CONTRIBUTION.—Section
10 301(8) of the Federal Election Campaign Act of
11 1971 (2 U.S.C. 431(8)) is amended—

12 (A) by striking “or” at the end of subpara-
13 graph (A)(i);

14 (B) by striking “purpose.” in subpara-
15 graph (A)(ii) and inserting “purpose;”;

16 (C) by adding at the end of subparagraph
17 (A) the following:

18 “(iii) any coordinated expenditure or
19 other disbursement made by any person in
20 connection with a candidate’s election, re-
21 gardless of whether the expenditure or dis-
22 bursement is for a communication that
23 contains express advocacy; or

24 “(iv) any expenditure or other dis-
25 bursement made in coordination with a na-

1 tional committee, State committee, or
2 other political committee of a political
3 party by a person (other than a candidate
4 or a candidate’s authorized committee) in
5 connection with an election, regardless of
6 whether the expenditure or disbursement is
7 for a communication that contains express
8 advocacy.”.

9 (2) CONFORMING AMENDMENT.—Section
10 315(a)(7) of the Federal Election Campaign Act of
11 1971 (2 U.S.C. 441a(a)(7)) is amended by striking
12 subparagraph (B) and inserting the following:

13 “(B) a coordinated expenditure or dis-
14 bursement described in—

15 “(i) section 301(8)(C) shall be consid-
16 ered to be a contribution to the candidate
17 or an expenditure by the candidate, respec-
18 tively; and

19 “(ii) section 301(8)(D) shall be con-
20 sidered to be a contribution to, or an ex-
21 penditure by, the political party committee,
22 respectively; and”.

23 (b) DEFINITION OF COORDINATION.—Section 301(8)
24 of the Federal Election Campaign Act of 1971 (2 U.S.C.

1 431(8)), as amended by subsection (a), is amended by
2 adding at the end the following:

3 “(C) For purposes of subparagraph
4 (A)(iii), the term ‘coordinated expenditure or
5 other disbursement’ means a payment made in
6 concert or cooperation with, at the request or
7 suggestion of, or pursuant to any general or
8 particular understanding with, such candidate,
9 the candidate’s authorized political committee,
10 or their agents, or a political party committee
11 or its agents.”.

12 (c) REGULATIONS BY THE FEDERAL ELECTION COM-
13 MISSION.—(1) Within 90 days of the effective date of this
14 Act, the Federal Election Commission shall promulgate
15 new regulations to enforce the statutory standard set by
16 this provision. The regulation shall not require collabora-
17 tion or agreement to establish coordination. In addition
18 to any subject determined by the Commission, the regula-
19 tions shall address—

20 (A) payments for the republication of campaign
21 materials;

22 (B) payments for the use of a common vendor;

23 (C) payments for communications directed or
24 made by persons who previously served as an em-
25 ployee of a candidate or a political party;

1 (D) payments for communications made by a
 2 person after substantial discussion about the com-
 3 munication with a candidate or a political party; and

4 (E) the impact of coordinating internal commu-
 5 nications by any person to its restricted class has on
 6 any subsequent “Federal election activity” as de-
 7 fined in section 301 of the Federal Election Cam-
 8 paign Act of 1971.

9 (2) The regulations on coordination adopted by the
 10 Federal Election Commission and published in the Federal
 11 Register at page 76138 of volume 65, Federal Register,
 12 on December 6, 2000, are repealed as of 90 days after
 13 the effective date of this Act.

14 (d) MEANING OF CONTRIBUTION OR EXPENDITURE
 15 FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2)
 16 of the Federal Election Campaign Act of 1971 (2 U.S.C.
 17 441b(b)(2)) is amended by striking “shall include” and
 18 inserting “includes a contribution or expenditure, as those
 19 terms are defined in section 301, and also includes”.

20 **TITLE III—MISCELLANEOUS**

21 **SEC. 301. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN** 22 **PURPOSES.**

23 Title III of the Federal Election Campaign Act of
 24 1971 (2 U.S.C. 431 et seq.) is amended by striking section
 25 313 and inserting the following:

1 **“SEC. 313. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN**
2 **PURPOSES.**

3 “(a) PERMITTED USES.—A contribution accepted by
4 a candidate, and any other donation received by an indi-
5 vidual as support for activities of the individual as a holder
6 of Federal office, may be used by the candidate or
7 individual—

8 “(1) for otherwise authorized expenditures in
9 connection with the campaign for Federal office of
10 the candidate or individual;

11 “(2) for ordinary and necessary expenses in-
12 curred in connection with duties of the individual as
13 a holder of Federal office;

14 “(3) for contributions to an organization de-
15 scribed in section 170(c) of the Internal Revenue
16 Code of 1986; or

17 “(4) for transfers to a national, State, or local
18 committee of a political party.

19 “(b) PROHIBITED USE.—

20 “(1) IN GENERAL.—A contribution or donation
21 described in subsection (a) shall not be converted by
22 any person to personal use.

23 “(2) CONVERSION.—For the purposes of para-
24 graph (1), a contribution or donation shall be con-
25 sidered to be converted to personal use if the con-
26 tribution or amount is used to fulfill any commit-

1 ment, obligation, or expense of a person that would
2 exist irrespective of the candidate’s election cam-
3 paign or individual’s duties as a holder of Federal
4 office, including—

5 “(A) a home mortgage, rent, or utility pay-
6 ment;

7 “(B) a clothing purchase;

8 “(C) a noncampaign-related automobile ex-
9 pense;

10 “(D) a country club membership;

11 “(E) a vacation or other noncampaign-re-
12 lated trip;

13 “(F) a household food item;

14 “(G) a tuition payment;

15 “(H) admission to a sporting event, con-
16 cert, theater, or other form of entertainment
17 not associated with an election campaign; and

18 “(I) dues, fees, and other payments to a
19 health club or recreational facility.”.

20 **SEC. 302. PROHIBITION OF FUNDRAISING ON FEDERAL**
21 **PROPERTY.**

22 Section 607 of title 18, United States Code, is
23 amended—

24 (1) by striking subsection (a) and inserting the
25 following:

1 “(a) PROHIBITION.—

2 “(1) IN GENERAL.—It shall be unlawful for any
3 person to solicit or receive a donation of money or
4 other thing of value in connection with a Federal,
5 State, or local election from a person who is located
6 in a room or building occupied in the discharge of
7 official duties by an officer or employee of the
8 United States. It shall be unlawful for an individual
9 who is an officer or employee of the Federal Govern-
10 ment, including the President, Vice President, and
11 Members of Congress, to solicit or receive a donation
12 of money or other thing of value in connection with
13 a Federal, State, or local election, while in any room
14 or building occupied in the discharge of official du-
15 ties by an officer or employee of the United States,
16 from any person.

17 “(2) PENALTY.—A person who violates this sec-
18 tion shall be fined not more than \$5,000, imprisoned
19 more than 3 years, or both.”; and

20 (2) in subsection (b), by inserting “or Executive
21 Office of the President” after “Congress” .

22 **SEC. 303. STRENGTHENING FOREIGN MONEY BAN.**

23 Section 319 of the Federal Election Campaign Act
24 of 1971 (2 U.S.C. 441e) is amended—

1 (1) by striking the heading and inserting the
2 following: “CONTRIBUTIONS AND DONATIONS BY
3 FOREIGN NATIONALS”; and

4 (2) by striking subsection (a) and inserting the
5 following:

6 “(a) PROHIBITION.—It shall be unlawful for—

7 “(1) a foreign national, directly or indirectly, to
8 make—

9 “(A) a contribution or donation of money
10 or other thing of value, or to make an express
11 or implied promise to make a contribution or
12 donation, in connection with a Federal, State,
13 or local election; or

14 “(B) a contribution or donation to a com-
15 mittee of a political party; or

16 “(2) for a person to solicit, accept, or receive
17 such contribution or donation from a foreign na-
18 tional.”.

19 **SEC. 304. MODIFICATION OF INDIVIDUAL CONTRIBUTION**
20 **LIMITS IN RESPONSE TO EXPENDITURES**
21 **FROM PERSONAL FUNDS.**

22 (a) INCREASED LIMITS FOR INDIVIDUALS.—

23 (1) IN GENERAL.—Section 315 of the Federal
24 Election Campaign Act of 1971 (2 U.S.C. 441a) is
25 amended—

1 (A) in subsection (a)(1), by striking “No
 2 person” and inserting “Except as provided in
 3 subsection (i), no person”; and

4 (B) by adding at the end the following:

5 “(i) INCREASED LIMIT TO ALLOW RESPONSE TO EX-
 6 PENDITURES FROM PERSONAL FUNDS.—

7 “(1) INCREASE.—

8 “(A) IN GENERAL.—Subject to paragraph
 9 (2), if the opposition personal funds amount
 10 with respect to a candidate for election to the
 11 office of Senator exceeds the threshold amount,
 12 the limit under subsection (a)(1)(A) (in this
 13 subsection referred to as the ‘applicable limit’)
 14 with respect to that candidate shall be the in-
 15 creased limit.

16 “(B) THRESHOLD AMOUNT.—

17 “(i) STATE-BY-STATE COMPETITIVE
 18 AND FAIR CAMPAIGN FORMULA.—In this
 19 subsection, the threshold amount with re-
 20 spect to an election cycle of a candidate de-
 21 scribed in subparagraph (A) is an amount
 22 equal to the sum of—

23 “(I) \$150,000; and

24 “(II) \$0.04 multiplied by the vot-
 25 ing age population.

1 “(ii) VOTING AGE POPULATION.—In
2 this subparagraph, the term ‘voting age
3 population’ means in the case of a can-
4 didate for the office of Senator, the voting
5 age population of the State of the can-
6 didate (as certified under section 315(e)).

7 “(C) INCREASED LIMIT.—Except as pro-
8 vided in clause (ii), for purposes of subpara-
9 graph (A), if the opposition personal funds
10 amount is over—

11 “(i) 2 times the threshold amount, but
12 not over 4 times that amount—

13 “(I) the increased limit shall be 3
14 times the applicable limit; and

15 “(II) the limit under subsection
16 (a)(3) shall not apply with respect to
17 any contribution made with respect to
18 a candidate if such contribution is
19 made under the increased limit of
20 subparagraph (A) during a period in
21 which the candidate may accept such
22 a contribution;

23 “(ii) 4 times the threshold amount,
24 but not over 10 times that amount—

1 “(I) the increased limit shall be 6
2 times the applicable limit; and

3 “(II) the limit under subsection
4 (a)(3) shall not apply with respect to
5 any contribution made with respect to
6 a candidate if such contribution is
7 made under the increased limit of
8 subparagraph (A) during a period in
9 which the candidate may accept such
10 a contribution; and

11 “(iii) 10 times the threshold
12 amount—

13 “(I) the increased limit shall be 6
14 times the applicable limit;

15 “(II) the limit under subsection
16 (a)(3) shall not apply with respect to
17 any contribution made with respect to
18 a candidate if such contribution is
19 made under the increased limit of
20 subparagraph (A) during a period in
21 which the candidate may accept such
22 a contribution; and

23 “(III) the limits under subsection
24 (d) with respect to any expenditure by

1 a State or national committee of a po-
 2 litical party shall not apply.

3 “(D) OPPOSITION PERSONAL FUNDS
 4 AMOUNT.—The opposition personal funds
 5 amount is an amount equal to the excess (if
 6 any) of—

7 “(i) the greatest aggregate amount of
 8 expenditures from personal funds (as de-
 9 fined in section 304(a)(6)(B)) that an op-
 10 posing candidate in the same election
 11 makes; over

12 “(ii) the aggregate amount of expendi-
 13 tures from personal funds made by the
 14 candidate with respect to the election.

15 “(2) TIME TO ACCEPT CONTRIBUTIONS UNDER
 16 INCREASED LIMIT.—

17 “(A) IN GENERAL.—Subject to subpara-
 18 graph (B), a candidate and the candidate’s au-
 19 thorized committee shall not accept any con-
 20 tribution, and a party committee shall not make
 21 any expenditure, under the increased limit
 22 under paragraph (1)—

23 “(i) until the candidate has received
 24 notification of the opposition personal

1 funds amount under section 304(a)(6)(B);
2 and

3 “(ii) to the extent that such contribu-
4 tion, when added to the aggregate amount
5 of contributions previously accepted and
6 party expenditures previously made under
7 the increased limits under this subsection
8 for the election cycle, exceeds 110 percent
9 of the opposition personal funds amount.

10 “(B) EFFECT OF WITHDRAWAL OF AN OP-
11 POSING CANDIDATE.—A candidate and a can-
12 didate’s authorized committee shall not accept
13 any contribution and a party shall not make
14 any expenditure under the increased limit after
15 the date on which an opposing candidate ceases
16 to be a candidate to the extent that the amount
17 of such increased limit is attributable to such
18 an opposing candidate.

19 “(3) DISPOSAL OF EXCESS CONTRIBUTIONS.—

20 “(A) IN GENERAL.—The aggregate
21 amount of contributions accepted by a can-
22 didate or a candidate’s authorized committee
23 under the increased limit under paragraph (1)
24 and not otherwise expended in connection with
25 the election with respect to which such con-

1 tributions relate shall, not later than 50 days
2 after the date of such election, be used in the
3 manner described in subparagraph (B).

4 “(B) RETURN TO CONTRIBUTORS.—A can-
5 didate or a candidate’s authorized committee
6 shall return the excess contribution to the per-
7 son who made the contribution.

8 “(j) LIMITATION ON REPAYMENT OF PERSONAL
9 LOANS.—Any candidate who incurs personal loans made
10 after the date of enactment of the Bipartisan Campaign
11 Reform Act of 2001 in connection with the candidate’s
12 campaign for election shall not repay (directly or indi-
13 rectly), to the extent such loans exceed \$250,000, such
14 loans from any contributions made to such candidate or
15 any authorized committee of such candidate after the date
16 of such election.”.

17 (b) NOTIFICATION OF EXPENDITURES FROM PER-
18 SONAL FUNDS.—Section 304(a)(6) of the Federal Elec-
19 tion Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is
20 amended—

21 (1) by redesignating subparagraph (B) as sub-
22 paragraph (E); and

23 (2) by inserting after subparagraph (A) the fol-
24 lowing:

1 “(B) NOTIFICATION OF EXPENDITURE FROM PER-
2 SONAL FUNDS.—

3 “(i) DEFINITION OF EXPENDITURE FROM PER-
4 SONAL FUNDS.—In this subparagraph, the term ‘ex-
5 penditure from personal funds’ means—

6 “(I) an expenditure made by a candidate
7 using personal funds; and

8 “(II) a contribution or loan made by a can-
9 didate using personal funds or a loan secured
10 using such funds to the candidate’s authorized
11 committee.

12 “(ii) DECLARATION OF INTENT.—Not later
13 than the date that is 15 days after the date on
14 which an individual becomes a candidate for the of-
15 fice of Senator, the candidate shall file a declaration
16 stating the total amount of expenditures from per-
17 sonal funds that the candidate intends to make, or
18 to obligate to make, with respect to the election will
19 exceed the State-by-State competitive and fair cam-
20 paign formula with—

21 “(I) the Commission; and

22 “(II) each candidate in the same election.

23 “(iii) INITIAL NOTIFICATION.—Not later than
24 24 hours after a candidate described in clause (ii)
25 makes or obligates to make an aggregate amount of

1 expenditures from personal funds in excess of 2
2 times the threshold amount in connection with any
3 election, the candidate shall file a notification with—

4 “(I) the Commission; and

5 “(II) each candidate in the same election.

6 “(iv) ADDITIONAL NOTIFICATION.—After a can-
7 didate files an initial notification under clause (iii),
8 the candidate shall file an additional notification
9 each time expenditures from personal funds are
10 made or obligated to be made in an aggregate
11 amount that exceed \$10,000 amount with—

12 “(I) the Commission; and

13 “(II) each candidate in the same election.

14 Such notification shall be filed not later than 24
15 hours after the expenditure is made.

16 “(v) CONTENTS.—A notification under clause
17 (iii) or (iv) shall include—

18 “(I) the name of the candidate and the of-
19 fice sought by the candidate;

20 “(II) the date and amount of each expendi-
21 ture; and

22 “(III) the total amount of expenditures
23 from personal funds that the candidate has
24 made, or obligated to make, with respect to an

1 election as of the date of the expenditure that
2 is the subject of the notification.

3 “(C) NOTIFICATION OF DISPOSAL OF EXCESS CON-
4 TRIBUTIONS.—In the next regularly scheduled report after
5 the date of the election for which a candidate seeks nomi-
6 nation for election to, or election to, Federal office, the
7 candidate or the candidate’s authorized committee shall
8 submit to the Commission a report indicating the source
9 and amount of any excess contributions (as determined
10 under paragraph (1) of section 315(i)) and the manner
11 in which the candidate or the candidate’s authorized com-
12 mittee used such funds.

13 “(D) ENFORCEMENT.—For provisions providing for
14 the enforcement of the reporting requirements under this
15 paragraph, see section 309.”.

16 (c) DEFINITIONS.—Section 301 of the Federal Elec-
17 tion Campaign Act of 1971 (2 U.S.C. 431) is amended
18 by adding at the end the following:

19 “(20) ELECTION CYCLE.—The term ‘election cycle’
20 means the period beginning on the day after the date of
21 the most recent election for the specific office or seat that
22 a candidate is seeking and ending on the date of the next
23 election for that office or seat. For purposes of the pre-
24 ceding sentence, a primary election and a general election
25 shall be considered to be separate elections.

1 “(21) PERSONAL FUNDS.—The term ‘personal funds’
2 means an amount that is derived from—

3 “(A) any asset that, under applicable State law,
4 at the time the individual became a candidate, the
5 candidate had legal right of access to or control
6 over, and with respect to which the candidate had—

7 “(i) legal and rightful title; or

8 “(ii) an equitable interest;

9 “(B) income received during the current elec-
10 tion cycle of the candidate, including—

11 “(i) a salary and other earned income from
12 bona fide employment;

13 “(ii) dividends and proceeds from the sale
14 of the candidate’s stocks or other investments;

15 “(iii) bequests to the candidate;

16 “(iv) income from trusts established before
17 the beginning of the election cycle;

18 “(v) income from trusts established by be-
19 quest after the beginning of the election cycle of
20 which the candidate is the beneficiary;

21 “(vi) gifts of a personal nature that had
22 been customarily received by the candidate
23 prior to the beginning of the election cycle; and

24 “(vii) proceeds from lotteries and similar
25 legal games of chance; and

1 “(C) a portion of assets that are jointly owned
2 by the candidate and the candidate’s spouse equal to
3 the candidate’s share of the asset under the instru-
4 ment of conveyance or ownership, but if no specific
5 share is indicated by an instrument of conveyance or
6 ownership, the value of $\frac{1}{2}$ of the property.”.

7 **SEC. 305. TELEVISION MEDIA RATES.**

8 (a) **LOWEST UNIT CHARGE.**—Subsection (b) of sec-
9 tion 315 of the Communications Act of 1934 (47 U.S.C.
10 315) is amended—

11 (1) by striking “(b) The charges” and inserting
12 the following:

13 “(b) **CHARGES.**—

14 “(1) **IN GENERAL.**—Except as provided in para-
15 graph (2), the charges”;

16 (2) by redesignating paragraphs (1) and (2) as
17 subparagraphs (A) and (B), respectively; and

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

19 “(2) **TELEVISION.**—The charges made for the
20 use of any television broadcast station, or by a pro-
21 vider of cable or satellite television service, to any
22 person who is a legally qualified candidate for any
23 public office in connection with the campaign of such
24 candidate for nomination for election, or election, to
25 such office shall not exceed the lowest charge of the

1 station (at any time during the 365-day period pre-
2 ceding the date of the use) for the same amount of
3 time for the same period.”.

4 (b) RATE AVAILABLE FOR NATIONAL PARTIES.—
5 Section 315(b)(2) of such Act (47 U.S.C. 315(b)(2)), as
6 added by subsection (a)(3), is amended by inserting “, or
7 by a national committee of a political party on behalf of
8 such candidate in connection with such campaign,” after
9 “such office”.

10 (c) PREEMPTION.—Section 315 of such Act (47
11 U.S.C. 315) is amended—

12 (1) by redesignating subsections (c) and (d) as
13 subsections (e) and (f), respectively; and

14 (2) by inserting after subsection (b) the fol-
15 lowing new subsection:

16 “(c) PREEMPTION.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), a licensee shall not preempt the use of a
19 television broadcast station, or a provider of cable or
20 satellite television service, by an eligible candidate or
21 political committee of a political party who has pur-
22 chased and paid for such use pursuant to subsection
23 (b)(2).

24 “(2) CIRCUMSTANCES BEYOND CONTROL OF LI-
25 CENSEE.—If a program to be broadcast by a tele-

1 vision broadcast station, or a provider of cable or
2 satellite television service, is preempted because of
3 circumstances beyond the control of the station, any
4 candidate or party advertising spot scheduled to be
5 broadcast during that program may also be pre-
6 empted.”.

7 (d) RANDOM AUDITS.—Section 315 of such Act (47
8 U.S.C. 315), as amended by subsection (c), is amended
9 by inserting after subsection (c) the following new sub-
10 section:

11 “(d) RANDOM AUDITS.—

12 “(1) IN GENERAL.—During the 45-day period
13 preceding a primary election and the 60-day period
14 preceding a general election, the Commission shall
15 conduct random audits of designated market areas
16 to ensure that each television broadcast station, and
17 provider of cable or satellite television service, in
18 those markets is allocating television broadcast ad-
19 vertising time in accordance with this section and
20 section 312.

21 “(2) MARKETS.—The random audits conducted
22 under paragraph (1) shall cover the following mar-
23 kets:

1 “(A) At least 6 of the top 50 largest des-
2 gnated market areas (as defined in section
3 122(j)(2)(C) of title 17, United States Code).

4 “(B) At least 3 of the 51–100 largest des-
5 gnated market areas (as so defined).

6 “(C) At least 3 of the 101–150 largest
7 designated market areas (as so defined).

8 “(D) At least 3 of the 151–210 largest
9 designated market areas (as so defined).

10 “(3) BROADCAST STATIONS.—Each random
11 audit shall include each of the 3 largest television
12 broadcast networks, 1 independent network, and 1
13 cable network.”.

14 (e) DEFINITION OF BROADCASTING STATION.—Sub-
15 section (e) of section 315 of such Act (47 U.S.C. 315(e)),
16 as redesignated by subsection (c)(1) of this section, is
17 amended by inserting “, a television broadcast station, and
18 a provider of cable or satellite television service” before
19 the semicolon.

20 (f) STYLISTIC AMENDMENTS.—Section 315 of such
21 Act (47 U.S.C. 315) is amended—

22 (1) in subsection (a), by inserting “IN GEN-
23 ERAL.—” before “If any”;

1 (2) in subsection (e), as redesignated by sub-
 2 section (c)(1) of this section, by inserting “DEFINI-
 3 TIONS.—” before “For purposes”; and

4 (3) in subsection (f), as so redesignated, by in-
 5 serting “REGULATIONS.—” before “The Commis-
 6 sion”.

7 **SEC. 306. LIMITATION ON AVAILABILITY OF LOWEST UNIT**
 8 **CHARGE FOR FEDERAL CANDIDATES AT-**
 9 **TACKING OPPOSITION.**

10 (a) IN GENERAL.—Section 315(b) of the Commu-
 11 nications Act of 1934 (47 U.S.C. 315(b)), as amended by
 12 this Act, is amended by adding at the end the following:

13 “(3) CONTENT OF BROADCASTS.—

14 “(A) IN GENERAL.—In the case of a can-
 15 didate for Federal office, such candidate shall
 16 not be entitled to receive the rate under para-
 17 graph (1)(A) or (2) for the use of any broad-
 18 casting station unless the candidate provides
 19 written certification to the broadcast station
 20 that the candidate (and any authorized com-
 21 mittee of the candidate) shall not make any di-
 22 rect reference to another candidate for the same
 23 office, in any broadcast using the rights and
 24 conditions of access under this Act, unless such

1 reference meets the requirements of subpara-
2 graph (C) or (D).

3 “(B) LIMITATION ON CHARGES.—If a can-
4 didate for Federal office (or any authorized
5 committee of such candidate) makes a reference
6 described in subparagraph (A) in any broadcast
7 that does not meet the requirements of sub-
8 paragraph (C) or (D), such candidate shall not
9 be entitled to receive the rate under paragraph
10 (1)(A) or (2) for such broadcast or any other
11 broadcast during any portion of the 45-day and
12 60-day periods described in paragraph (1)(A),
13 that occur on or after the date of such broad-
14 cast, for election to such office.

15 “(C) TELEVISION BROADCASTS.—A can-
16 didate meets the requirements of this subpara-
17 graph if, in the case of a television broadcast,
18 at the end of such broadcast there appears si-
19 multaneously, for a period no less than 4
20 seconds—

21 “(i) a clearly identifiable photographic
22 or similar image of the candidate; and

23 “(ii) a clearly readable printed state-
24 ment, identifying the candidate and stating
25 that the candidate has approved the broad-

1 cast and that the candidate’s authorized
2 committee paid for the broadcast.

3 “(D) RADIO BROADCASTS.—A candidate
4 meets the requirements of this subparagraph if,
5 in the case of a radio broadcast, the broadcast
6 includes a personal audio statement by the can-
7 didate that identifies the candidate, the office
8 the candidate is seeking, and indicates that the
9 candidate has approved the broadcast.

10 “(E) CERTIFICATION.—Certifications
11 under this section shall be provided and cer-
12 tified as accurate by the candidate (or any au-
13 thorized committee of the candidate) at the
14 time of purchase.

15 “(F) DEFINITIONS.—For purposes of this
16 paragraph, the terms ‘authorized committee’
17 and ‘Federal office’ have the meanings given
18 such terms by section 301 of the Federal Elec-
19 tion Campaign Act of 1971 (2 U.S.C. 431).”.

20 (b) CONFORMING AMENDMENT.—Section
21 315(b)(1)(A) of the Communications Act of 1934 (47
22 U.S.C. 315(b)(1)(A)), as amended by this Act, is amended
23 by inserting “subject to paragraph (3),” before “during
24 the forty-five days”.

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

4 **SEC. 307. SOFTWARE FOR FILING REPORTS AND PROMPT**
5 **DISCLOSURE OF CONTRIBUTIONS.**

6 Section 304(a) of the Federal Election Campaign Act
7 of 1971 (2 U.S.C. 434(a)) is amended by adding at the
8 end the following:

9 “(12) SOFTWARE FOR FILING OF REPORTS.—

10 “(A) IN GENERAL.—The Commission
11 shall—

12 “(i) promulgate standards to be used
13 by vendors to develop software that—

14 “(I) permits candidates to easily
15 record information concerning receipts
16 and disbursements required to be re-
17 ported under this Act at the time of
18 the receipt or disbursement;

19 “(II) allows the information re-
20 corded under subclause (I) to be
21 transmitted immediately to the Com-
22 mission; and

23 “(III) allows the Commission to
24 post the information on the Internet
25 immediately upon receipt; and

1 “(ii) make a copy of software that
2 meets the standards promulgated under
3 clause (i) available to each person required
4 to file a designation, statement, or report
5 in electronic form under this Act.

6 “(B) ADDITIONAL INFORMATION.—To the
7 extent feasible, the Commission shall require
8 vendors to include in the software developed
9 under the standards under subparagraph (A)
10 the ability for any person to file any designa-
11 tion, statement, or report required under this
12 Act in electronic form.

13 “(C) REQUIRED USE.—Notwithstanding
14 any provision of this Act relating to times for
15 filing reports, each candidate for Federal office
16 (or that candidate’s authorized committee) shall
17 use software that meets the standards promul-
18 gated under this paragraph once such software
19 is made available to such candidate.

20 “(D) REQUIRED POSTING.—The Commis-
21 sion shall, as soon as practicable, post on the
22 Internet any information received under this
23 paragraph.”.

1 **SEC. 308. MODIFICATION OF CONTRIBUTION LIMITS.**

2 (a) INCREASE IN INDIVIDUAL LIMITS.—Section
3 315(a)(1) of the Federal Election Campaign Act of 1971
4 (2 U.S.C. 441a(a)(1)) is amended—

5 (1) in subparagraph (A), by striking “\$1,000”
6 and inserting “\$2,000”; and

7 (2) in subparagraph (B), by striking “\$20,000”
8 and inserting “\$25,000”.

9 (b) INCREASE IN AGGREGATE INDIVIDUAL LIMIT.—
10 Section 315(a)(3) of the Federal Election Campaign Act
11 of 1971 (2 U.S.C. 441a(a)(3)), as amended by section
12 102(b), is amended by striking “\$30,000” and inserting
13 “\$37,500”.

14 (c) INCREASE IN SENATORIAL CAMPAIGN COM-
15 MITTEE LIMIT.—Section 315(h) of the Federal Election
16 Campaign Act of 1971 (2 U.S.C. 441a(h)) is amended by
17 striking “\$17,500” and inserting “\$35,000”.

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

21 (1) in paragraph (1)—

22 (A) by striking the second and third sen-
23 tences;

24 (B) by inserting “(A)” before “At the be-
25 ginning”; and

26 (C) by adding at the end the following:

1 “(B) Except as provided in subparagraph (C), in any
2 calendar year after 2002—

3 “(i) a limitation established by subsections
4 (a)(1)(A), (a)(1)(B), (a)(3), (b), (d), or (h) shall be
5 increased by the percent difference determined under
6 subparagraph (A);

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

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

12 “(C) In the case of limitations under subsections
13 (a)(1)(A), (a)(1)(B), (a)(3), and (h), increases shall only
14 be made in odd-numbered years and such increases shall
15 remain in effect for the 2-year period beginning on the
16 first day following the date of the last general election in
17 the year preceding the year in which the amount is in-
18 creased and ending on the date of the next general elec-
19 tion.”; and

20 (2) in paragraph (2)(B), by striking “means the
21 calendar year 1974” and inserting “means—

22 “(i) for purposes of subsections (b) and
23 (d), calendar year 1974; and

24 “(ii) for purposes of subsections (a)(1)(A),
25 (a)(1)(B), (a)(3), and (h) calendar year 2001”.

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

4 **SEC. 309. TELEVISION MEDIA RATES FOR NATIONAL PAR-**
 5 **TIES CONDITIONED ON ADHERENCE TO EX-**
 6 **ISTING COORDINATED SPENDING LIMITS.**

7 (a) AVAILABILITY OF TELEVISION MEDIA RATES.—
 8 Section 315(b)(2) of the Communications Act of 1934 (47
 9 U.S.C. 315(b)(2)), as amended by this Act, is amended—
 10 (1) by striking “TELEVISION.—The charges”
 11 and inserting “TELEVISION.—

12 “(A) IN GENERAL.—Except as provided in
 13 subparagraph (B), the charges”; and

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

15 “(B) LIMITATIONS ON AVAILABILITY FOR
 16 NATIONAL COMMITTEES OF POLITICAL PAR-
 17 TIES.—

18 “(i) RATE CONDITIONED ON VOL-
 19 UNTARY ADHERENCE TO EXPENDITURE
 20 LIMITS.—If the limits on expenditures
 21 under section 315(d)(3) of the Federal
 22 Election Campaign Act of 1971 are held to
 23 be invalid by the Supreme Court of the
 24 United States, then no television broadcast
 25 station, or provider of cable or satellite tel-

1 evision service, shall be required to charge
2 a national committee of a political party
3 the lowest charge of the station described
4 in paragraph (1) after the date of the Su-
5 preme Court holding unless the national
6 committee of a political party certifies to
7 the Federal Election Commission that the
8 committee, and each State committee of
9 that political party of each State in which
10 the advertisement is televised, will adhere
11 to the expenditure limits, for the calendar
12 year in which the general election to which
13 the expenditure relates occurs, that would
14 apply under such section as in effect on
15 January 1, 2001.

16 “(ii) RATE NOT AVAILABLE FOR INDE-
17 PENDENT EXPENDITURES.—If the limits
18 on expenditures under section 315(d)(3) of
19 the Federal Election Campaign Act of
20 1971 are held to be invalid by the Supreme
21 Court of the United States, then no tele-
22 vision broadcast station, or provider of
23 cable or satellite television service, shall be
24 required to charge a national or State com-
25 mittee of a political party the lowest

1 charge of the station described in para-
2 graph (1) with respect to any independent
3 expenditure (as defined in section 301 of
4 the Federal Election Campaign Act of
5 1971).

6 “(iii) COORDINATION WITH OTHER
7 PROVISIONS.—Clauses (i) and (ii) shall not
8 apply if section 315(d) of the Federal Elec-
9 tion Campaign Act of 1971 (2 U.S.C.
10 441a(d)) does not apply with respect to an
11 expenditure by a State or national com-
12 mittee of a political party by reason of sec-
13 tion 315(i)(1)(C)(iii)(III) of that Act.

14 (b) FEDERAL ELECTION COMMISSION RULE-
15 MAKING.—Section 315(d) of the Federal Election Cam-
16 paign Act of 1971 (2 U.S.C. 441a(d)) is amended by add-
17 ing at the end the following:

18 “(4) If the limits on expenditures under para-
19 graph (3) are held to be invalid by the Supreme
20 Court of the United States, the Commission shall
21 prescribe rules to ensure that each national com-
22 mittee of political party that submits a certification
23 under section 315(b)(2)(B) of the Communications
24 Act of 1934, and each State committee of that polit-

1 ical party described in such section, complies with
2 such certification.”.

3 **SEC. 310. DONATIONS TO PRESIDENTIAL INAUGURAL COM-**
4 **MITTEE.**

5 (a) IN GENERAL.—Chapter 5 of title 36, United
6 States Code, is amended by—

7 (1) redesignating section 510 as section 511;

8 and

9 (2) inserting after section 509 the following:

10 **“§ 510. Disclosure of and prohibition on certain dona-**
11 **tions.**

12 “(a) IN GENERAL.—A committee shall not be consid-
13 ered to be the Inaugural Committee for purposes of this
14 chapter unless the committee agrees to, and meets, the
15 requirements of subsections (b) and (c).

16 “(b) DISCLOSURE.—

17 “(1) IN GENERAL.—Not later than the date
18 that is 90 days after the date of the Presidential in-
19 augural ceremony, the committee shall file a report
20 with the Federal Election Commission disclosing any
21 donation of money or anything of value made to the
22 committee in an aggregate amount equal to or great-
23 er than \$200.

24 “(2) CONTENTS OF REPORT.—A report filed
25 under paragraph (1) shall contain—

1 “(A) the amount of the donation;
2 “(B) the date the donation is received; and
3 “(C) the name and address of the person
4 making the donation.

5 “(c) LIMITATION.—The committee shall not accept
6 any donation from a foreign national (as defined in section
7 319(b) of the Federal Election Campaign Act of 1971 (2
8 U.S.C. 441e(b))).”.

9 (b) REPORTS MADE AVAILABLE BY FEC.—Section
10 304 of the Federal Election Campaign Act of 1971 (2
11 U.S.C. 434), as amended by sections 103, 201, and 212
12 is amended by adding at the end the following:

13 “(h) REPORTS FROM INAUGURAL COMMITTEES.—
14 The Federal Election Commission shall make any report
15 filed by an Inaugural Committee under section 510 of title
16 36, United States Code, accessible to the public at the of-
17 fices of the Commission and on the Internet not later than
18 48 hours after the report is received by the Commission.”.

19 **SEC. 311. PROHIBITION ON FRAUDULENT SOLICITATION OF**
20 **FUNDS.**

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

23 (1) by inserting “(a) IN GENERAL.—” before
24 “‘No person’”;

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

1 “(b) FRAUDULENT SOLICITATION OF FUNDS.—No
2 person shall—

3 “(1) fraudulently misrepresent the person as
4 speaking, writing, or otherwise acting for or on be-
5 half of any candidate or political party or employee
6 or agent thereof for the purpose of soliciting con-
7 tributions or donations; or

8 “(2) willfully and knowingly participate in or
9 conspire to participate in any plan, scheme, or de-
10 sign to violate paragraph (1).”.

11 **SEC. 312. STUDY AND REPORT ON CLEAN MONEY CLEAN**
12 **ELECTIONS LAWS.**

13 (a) CLEAN MONEY CLEAN ELECTIONS DEFINED.—
14 In this section, the term “clean money clean elections”
15 means funds received under State laws that provide in
16 whole or in part for the public financing of election cam-
17 paigns.

18 (b) STUDY.—

19 (1) IN GENERAL.—The Comptroller General of
20 the United States shall conduct a study of the clean
21 money clean elections of Arizona and Maine.

22 (2) MATTERS STUDIED.—

23 (A) STATISTICS ON CLEAN MONEY CLEAN
24 ELECTIONS CANDIDATES.—The Comptroller
25 General of the United States shall determine—

1 (i) the number of candidates who have
2 chosen to run for public office with clean
3 money clean elections including—

4 (I) the office for which they were
5 candidates;

6 (II) whether the candidate was
7 an incumbent or a challenger; and

8 (III) whether the candidate was
9 successful in the candidate's bid for
10 public office; and

11 (ii) the number of races in which at
12 least one candidate ran an election with
13 clean money clean elections.

14 (B) EFFECTS OF CLEAN MONEY CLEAN
15 ELECTIONS.—The Comptroller General of the
16 United States shall describe the effects of pub-
17 lic financing under the clean money clean elec-
18 tions laws on the 2000 elections in Arizona and
19 Maine.

20 (c) REPORT.—Not later than 1 year after the date
21 of enactment of this Act, the Comptroller General of the
22 United States shall submit a report to the Congress detail-
23 ing the results of the study conducted under subsection
24 (b).

1 **SEC. 313. CLARITY STANDARDS FOR IDENTIFICATION OF**
2 **SPONSORS OF ELECTION-RELATED ADVER-**
3 **TISING.**

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

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph

8 (1)—

9 (i) by striking “Whenever” and insert-
10 ing “Whenever a political committee makes
11 a disbursement for the purpose of financ-
12 ing any communication through any broad-
13 casting station, newspaper, magazine, out-
14 door advertising facility, mailing, or any
15 other type of general public political adver-
16 tising, or whenever”;

17 (ii) by striking “an expenditure” and
18 inserting “a disbursement”; and

19 (iii) by striking “direct”; and

20 (iv) by inserting “or makes a dis-
21 bursement for an electioneering commu-
22 nication (as defined in section 304(f)(3))”
23 after “public political advertising”; and

24 (B) in paragraph (3), by inserting “and
25 permanent street address, telephone number, or
26 World Wide Web address” after “name”; and

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

2 “(c) SPECIFICATION.—Any printed communication
3 described in subsection (a) shall—

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

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

8 “(3) be printed with a reasonable degree of
9 color contrast between the background and the
10 printed statement.

11 “(d) ADDITIONAL REQUIREMENTS.—

12 “(1) AUDIO STATEMENT.—

13 “(A) CANDIDATE.—Any communication
14 described in paragraphs (1) or (2) of subsection
15 (a) which is transmitted through radio or tele-
16 vision shall include, in addition to the require-
17 ments of that paragraph, an audio statement by
18 the candidate that identifies the candidate and
19 states that the candidate has approved the com-
20 munication.

21 “(B) OTHER PERSONS.—Any communica-
22 tion described in paragraph (3) of subsection
23 (a) which is transmitted through radio or tele-
24 vision shall include, in addition to the require-
25 ments of that paragraph, in a clearly spoken

1 manner, the following statement: ‘ _____
2 is responsible for the content of this adver-
3 tising.’ (with the blank to be filled in with the
4 name of the political committee or other person
5 paying for the communication and the name of
6 any connected organization of the payor). If
7 transmitted through television, the statement
8 shall also appear in a clearly readable manner
9 with a reasonable degree of color contrast be-
10 tween the background and the printed state-
11 ment, for a period of at least 4 seconds.

12 “(2) TELEVISION.—If a communication de-
13 scribed in paragraph (1)(A) is transmitted through
14 television, the communication shall include, in addi-
15 tion to the audio statement under paragraph (1), a
16 written statement that—

17 “(A) appears at the end of the communica-
18 tion in a clearly readable manner with a reason-
19 able degree of color contrast between the back-
20 ground and the printed statement, for a period
21 of at least 4 seconds; and

22 “(B) is accompanied by a clearly identifi-
23 able photographic or similar image of the can-
24 didate.”.

1 **SEC. 314. INCREASE IN PENALTIES.**

2 (a) IN GENERAL.—Subparagraph (A) of section
3 309(d)(1) of the Federal Election Campaign Act of 1971
4 (2 U.S.C. 437g(d)(1)(A)) is amended to read as follows:

5 “(A) Any person who knowingly and willfully com-
6 mits a violation of any provision of this Act which involves
7 the making, receiving, or reporting of any contribution,
8 donation, or expenditure—

9 “(i) aggregating \$25,000 or more during a cal-
10 endar year shall be fined under title 18, United
11 States Code, or imprisoned for not more than 5
12 years, or both; or

13 “(ii) aggregating \$2,000 or more (but less than
14 \$25,000) during a calendar year shall be fined under
15 such title, or imprisoned for not more than one year,
16 or both.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to violations occurring on or after
19 the date of enactment of this Act.

20 **SEC. 315. STATUTE OF LIMITATIONS.**

21 (a) IN GENERAL.—Section 406(a) of the Federal
22 Election Campaign Act of 1971 (2 U.S.C. 455(a)) is
23 amended by striking “3” and inserting “5”.

24 (b) EFFECTIVE DATE.—The amendment made by
25 this section shall apply to violations occurring on or after
26 the date of enactment of this Act.

1 **SEC. 316. SENTENCING GUIDELINES.**

2 (a) IN GENERAL.—The United States Sentencing
3 Commission shall—

4 (1) promulgate a guideline, or amend an exist-
5 ing guideline under section 994 of title 28, United
6 States Code, in accordance with paragraph (2), for
7 penalties for violations of the Federal Election Cam-
8 paign Act of 1971 and related election laws; and

9 (2) submit to Congress an explanation of any
10 guidelines promulgated under paragraph (1) and any
11 legislative or administrative recommendations re-
12 garding enforcement of the Federal Election Cam-
13 paign Act of 1971 and related election laws.

14 (b) CONSIDERATIONS.—The Commission shall pro-
15 vide guidelines under subsection (a) taking into account
16 the following considerations:

17 (1) Ensure that the sentencing guidelines and
18 policy statements reflect the serious nature of such
19 violations and the need for aggressive and appro-
20 priate law enforcement action to prevent such viola-
21 tions.

22 (2) Provide a sentencing enhancement for any
23 person convicted of such violation if such violation
24 involves—

25 (A) a contribution, donation, or expendi-
26 ture from a foreign source;

1 (B) a large number of illegal transactions;

2 (C) a large aggregate amount of illegal
3 contributions, donations, or expenditures;

4 (D) the receipt or disbursement of govern-
5 mental funds; and

6 (E) an intent to achieve a benefit from the
7 Federal Government.

8 (3) Provide a sentencing enhancement for any
9 violation by a person who is a candidate or a high-
10 ranking campaign official for such candidate.

11 (4) Assure reasonable consistency with other
12 relevant directives and guidelines of the Commission.

13 (5) Account for aggravating or mitigating cir-
14 cumstances that might justify exceptions, including
15 circumstances for which the sentencing guidelines
16 currently provide sentencing enhancements.

17 (6) Assure the guidelines adequately meet the
18 purposes of sentencing under section 3553(a)(2) of
19 title 18, United States Code.

20 (c) EFFECTIVE DATE; EMERGENCY AUTHORITY TO
21 PROMULGATE GUIDELINES.—

22 (1) EFFECTIVE DATE.—Notwithstanding sec-
23 tion 402, the United States Sentencing Commission
24 shall promulgate guidelines under this section not
25 later than the later of—

1 (A) 90 days after the date of enactment of
2 this Act; or

3 (B) 90 days after the date on which at
4 least a majority of the members of the Commis-
5 sion are appointed and holding office.

6 (2) EMERGENCY AUTHORITY TO PROMULGATE
7 GUIDELINES.—The Commission shall promulgate
8 guidelines under this section in accordance with the
9 procedures set forth in section 21(a) of the Sen-
10 tencing Reform Act of 1987, as though the authority
11 under such Act has not expired.

12 **SEC. 317. INCREASE IN PENALTIES IMPOSED FOR VIOLA-**
13 **TIONS OF CONDUIT CONTRIBUTION BAN.**

14 (a) INCREASE IN CIVIL MONEY PENALTY FOR KNOW-
15 ING AND WILLFUL VIOLATIONS.—Section 309(a) of the
16 Federal Election Campaign Act of 1971 (2 U.S.C.
17 437g(a)) is amended—

18 (1) in paragraph (5)(B), by inserting before the
19 period at the end the following: “(or, in the case of
20 a violation of section 320, which is not less than 300
21 percent of the amount involved in the violation and
22 is not more than the greater of \$50,000 or 1000
23 percent of the amount involved in the violation)”;
24 and

1 (2) in paragraph (6)(C), by inserting before the
2 period at the end the following: “(or, in the case of
3 a violation of section 320, which is not less than 300
4 percent of the amount involved in the violation and
5 is not more than the greater of \$50,000 or 1000
6 percent of the amount involved in the violation)”.

7 (b) INCREASE IN CRIMINAL PENALTY.—Section
8 309(d)(1) of such Act (2 U.S.C. 437g(d)(1)) is amended
9 by adding at the end the following new subparagraph:

10 “(D) Any person who knowingly and will-
11 fully commits a violation of section 320 involv-
12 ing an amount aggregating more than \$10,000
13 during a calendar year shall be—

14 “(i) imprisoned for not more than 2
15 years if the amount is less than \$25,000
16 (and subject to imprisonment under sub-
17 paragraph (A) if the amount is \$25,000 or
18 more); or

19 “(ii) fined not less than 300 percent
20 of the amount involved in the violation and
21 not more than the greater of—

22 “(I) \$50,000; or

23 “(II) 1,000 percent of the
24 amount involved in the violation; or

1 “(iii) both imprisoned under clause (i)
2 and fined under clause (ii).”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply with respect to violations occurring
5 on or after the date of enactment of this Act.

6 **SEC. 318. RESTRICTION ON INCREASED CONTRIBUTION**
7 **LIMITS BY TAKING INTO ACCOUNT CAN-**
8 **DIDATE’S AVAILABLE FUNDS.**

9 Section 315(i)(1) of the Federal Election Campaign
10 Act of 1971 (2 U.S.C. 441a(i)(1)), as added by this Act,
11 is amended by adding at the end the following:

12 “(E) SPECIAL RULE FOR CANDIDATE’S
13 CAMPAIGN FUNDS.—

14 “(i) IN GENERAL.—For purposes of
15 determining the aggregate amount of ex-
16 penditures from personal funds under sub-
17 paragraph (D)(ii), such amount shall in-
18 clude the gross receipts advantage of the
19 candidate’s authorized committee.

20 “(ii) GROSS RECEIPTS ADVANTAGE.—
21 For purposes of clause (i), the term ‘gross
22 receipts advantage’ means the excess, if
23 any, of—

24 “(I) the aggregate amount of 50
25 percent of gross receipts of a can-

1 didate’s authorized committee during
 2 any election cycle (not including con-
 3 tributions from personal funds of the
 4 candidate) that may be expended in
 5 connection with the election, as deter-
 6 mined on June 30 and December 31
 7 of the year preceding the year in
 8 which a general election is held, over

9 “(II) the aggregate amount of 50
 10 percent of gross receipts of the oppos-
 11 ing candidate’s authorized committee
 12 during any election cycle (not includ-
 13 ing contributions from personal funds
 14 of the candidate) that may be ex-
 15 pended in connection with the elec-
 16 tion, as determined on June 30 and
 17 December 31 of the year preceding
 18 the year in which a general election is
 19 held.

20 **TITLE IV—SEVERABILITY;**
 21 **EFFECTIVE DATE**

22 **SEC. 401. SEVERABILITY.**

23 If any provision of this Act or amendment made by
 24 this Act, or the application of a provision or amendment
 25 to any person or circumstance, is held to be unconstitu-

1 tional, the remainder of this Act and amendments made
2 by this Act, and the application of the provisions and
3 amendment to any person or circumstance, shall not be
4 affected by the holding.

5 **SEC. 402. EFFECTIVE DATE.**

6 Except as otherwise provided in this Act, this Act and
7 the amendments made by this Act shall take effect 30
8 days after the date of its enactment.

9 **SEC. 403. EXPEDITED REVIEW.**

10 (a) **EXPEDITED REVIEW.**—Any individual or organi-
11 zation that would otherwise have standing to challenge a
12 provision of, or amendment made by, this Act may bring
13 an action, in the United States District Court for the Dis-
14 trict of Columbia, for declaratory judgment and injunctive
15 relief on the ground that such provision or amendment
16 violates the Constitution. For purposes of the expedited
17 review provided by this section the exclusive venue for
18 such an action shall be the United States District Court
19 for the District of Columbia.

20 (b) **APPEAL TO SUPREME COURT.**—Notwithstanding
21 any other provision of law, any order or judgment of the
22 United States District Court for the District of Columbia
23 finally disposing of an action brought under subsection (a)
24 shall be reviewable by appeal directly to the Supreme
25 Court of the United States. Any such appeal shall be taken

1 by a notice of appeal filed within 10 calendar days after
2 such order or judgment is entered; and the jurisdictional
3 statement shall be filed within 30 calendar days after such
4 order or judgment is entered.

5 (c) EXPEDITED CONSIDERATION.—It shall be the
6 duty of the District Court for the District of Columbia
7 and the Supreme Court of the United States to advance
8 on the docket and to expedite to the greatest possible ex-
9 tent the disposition of any matter brought under sub-
10 section (a).

11 **TITLE V—ADDITIONAL**
12 **DISCLOSURE PROVISIONS**

13 **SEC. 501. INTERNET ACCESS TO RECORDS.**

14 Section 304(a)(11)(B) of the Federal Election Cam-
15 paign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended
16 to read as follows:

17 “(B) The Commission shall make a designation,
18 statement, report, or notification that is filed with the
19 Commission under this Act available for inspection by the
20 public in the offices of the Commission and accessible to
21 the public on the Internet not later than 48 hours (24
22 hours in the case of a designation, statement, report, or
23 notification filed electronically) after receipt by the Com-
24 mission.”.

1 **SEC. 502. MAINTENANCE OF WEBSITE OF ELECTION RE-**
2 **PORTS.**

3 (a) IN GENERAL.—The Federal Election Commission
4 shall maintain a central site on the Internet to make ac-
5 cessible to the public all publicly available election-related
6 reports and information.

7 (b) ELECTION-RELATED REPORT.—In this section,
8 the term “election-related report” means any report, des-
9 ignation, or statement required to be filed under the Fed-
10 eral Election Campaign Act of 1971.

11 (c) COORDINATION WITH OTHER AGENCIES.—Any
12 Federal executive agency receiving election-related infor-
13 mation which that agency is required by law to publicly
14 disclose shall cooperate and coordinate with the Federal
15 Election Commission to make such report available
16 through, or for posting on, the site of the Federal Election
17 Commission in a timely manner.

18 **SEC. 503. ADDITIONAL MONTHLY AND QUARTERLY DISCLO-**
19 **SURE REPORTS.**

20 (a) PRINCIPAL CAMPAIGN COMMITTEES.—

21 (1) MONTHLY REPORTS.—Section 304(a)(2)(A)
22 of the Federal Election Campaign Act of 1971 (2
23 U.S.C. 434(a)(2)(A)) is amended by striking clause
24 (iii) and inserting the following:

25 “(iii) additional monthly reports, which
26 shall be filed not later than the 20th day after

1 the last day of the month and shall be complete
2 as of the last day of the month, except that
3 monthly reports shall not be required under this
4 clause in November and December and a year
5 end report shall be filed not later than January
6 31 of the following calendar year.”.

7 (2) QUARTERLY REPORTS.—Section
8 304(a)(2)(B) of such Act is amended by striking
9 “the following reports” and all that follows through
10 the period and inserting “the treasurer shall file
11 quarterly reports, which shall be filed not later than
12 the 15th day after the last day of each calendar
13 quarter, and which shall be complete as of the last
14 day of each calendar quarter, except that the report
15 for the quarter ending December 31 shall be filed
16 not later than January 31 of the following calendar
17 year.”.

18 (b) NATIONAL COMMITTEE OF A POLITICAL
19 PARTY.—Section 304(a)(4) of the Federal Election Cam-
20 paign Act of 1971 (2 U.S.C. 434(a)(4)) is amended by
21 adding at the end the following flush sentence: “Notwith-
22 standing the preceding sentence, a national committee of
23 a political party shall file the reports required under sub-
24 paragraph (B).”.

25 (c) CONFORMING AMENDMENTS.—

1 (1) SECTION 304.—Section 304(a) of the Fed-
2 eral Election Campaign Act of 1971 (2 U.S.C.
3 434(a)) is amended—

4 (A) in paragraph (3)(A)(ii), by striking
5 “quarterly reports” and inserting “monthly re-
6 ports”; and

7 (B) in paragraph (8), by striking “quar-
8 terly report under paragraph (2)(A)(iii) or
9 paragraph (4)(A)(i)” and inserting “monthly
10 report under paragraph (2)(A)(iii) or paragraph
11 (4)(A)”.

12 (2) SECTION 309.—Section 309(b) of the Fed-
13 eral Election Campaign Act of 1971 (2 U.S.C.
14 437g(b)) is amended by striking “calendar quarter”
15 and inserting “month”.

16 **SEC. 504. PUBLIC ACCESS TO BROADCASTING RECORDS.**

17 Section 315 of the Communications Act of 1934 (47
18 U.S.C. 315), as amended by this Act, is amended by redesh-
19 ignating subsections (e) and (f) as subsections (f) and (g),
20 respectively, and inserting after subsection (d) the fol-
21 lowing:

22 “(e) POLITICAL RECORD.—

23 “(1) IN GENERAL.—A licensee shall maintain,
24 and make available for public inspection, a complete

1 record of a request to purchase broadcast time
2 that—

3 “(A) is made by or on behalf of a legally
4 qualified candidate for public office; or

5 “(B) communicates a message relating to
6 any political matter of national importance,
7 including—

8 “(i) a legally qualified candidate;

9 “(ii) any election to Federal office; or

10 “(iii) a national legislative issue of
11 public importance.

12 “(2) CONTENTS OF RECORD.—A record main-
13 tained under paragraph (1) shall contain informa-
14 tion regarding—

15 “(A) whether the request to purchase
16 broadcast time is accepted or rejected by the li-
17 censee;

18 “(B) the rate charged for the broadcast
19 time;

20 “(C) the date and time on which the com-
21 munication is aired;

22 “(D) the class of time that is purchased;

23 “(E) the name of the candidate to which
24 the communication refers and the office to
25 which the candidate is seeking election, the elec-

1 tion to which the communication refers, or the
2 issue to which the communication refers (as ap-
3 plicable);

4 “(F) in the case of a request made by, or
5 on behalf of, a candidate, the name of the can-
6 didate, the authorized committee of the can-
7 didate, and the treasurer of such committee;
8 and

9 “(G) in the case of any other request, the
10 name of the person purchasing the time, the
11 name, address, and phone number of a contact
12 person for such person, and a list of the chief
13 executive officers or members of the executive
14 committee or of the board of directors of such
15 person.

16 “(3) TIME TO MAINTAIN FILE.—The informa-
17 tion required under this subsection shall be placed in
18 a political file as soon as possible and shall be re-
19 tained by the licensee for a period of not less than
20 2 years.”.

Passed the Senate April 2 (legislative day, March
30), 2001.

Attest:

GARY SISCO,
Secretary.