

105TH CONGRESS  
1ST SESSION

# H. R. 1777

To amend the Federal Election Campaign Act of 1971 to reform the financing of Federal elections, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1997

Mr. MEEHAN (for himself, Mr. SHAYS, Mr. WAMP, Mr. MORAN of Virginia, Mrs. ROUKEMA, Mr. McHALE, Mr. HORN, Mr. BARRETT of Wisconsin, Mr. CASTLE, Mr. MINGE, Mr. LEACH, Mr. BILBRAY, Mr. CAMPBELL, Mr. DUNCAN, Mrs. MORELLA, Mr. GREENWOOD, Mr. FRANKS of New Jersey, and Mr. METCALF) introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committees on Commerce, and Government Reform and Oversight, 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

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## A BILL

To amend the Federal Election Campaign Act of 1971 to reform the financing of Federal elections, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Campaign Independ-  
5 ence Restoration Act—Part II”.

# 1 **SEC. 2. TABLE OF CONTENTS.**

## 2 The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

### TITLE I—HOUSE OF REPRESENTATIVES ELECTION SPENDING LIMITS AND BENEFITS

Sec. 101. House of Representatives election spending limits and benefits.

#### “TITLE V—SPENDING LIMITS AND BENEFITS FOR HOUSE OF REPRESENTATIVES ELECTION CAMPAIGNS

“Sec. 501. Candidates eligible to receive benefits.

“Sec. 502. Limitation on expenditures.

“Sec. 503. Benefits eligible candidates entitled to receive.

“Sec. 504. Certification by Commission.

“Sec. 505. Repayments; additional civil penalties.”

Sec. 102. Broadcast rates and preemption.

Sec. 103. Reduced postage rates.

Sec. 104. Contribution limit for eligible House of Representatives candidates.

Sec. 105. Reporting requirements.

### TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE

#### Subtitle A—Limitations on Political Action Committees and Large Contributions of Individuals

Sec. 201. Limitations on activities of political action committees in Federal elections.

Sec. 202. Aggregate limit on large contributions.

#### Subtitle B—Contributions

Sec. 211. Contributions through intermediaries and conduits.

#### Subtitle C—Additional Prohibitions on Contributions

Sec. 221. Prohibition of contributions by noncitizens and other individuals not qualified to vote.

#### Subtitle D—Coordinated and Independent Expenditures

Sec. 231. Clarification of definitions relating to independent expenditures.

Sec. 232. Treatment of coordinated expenditures as contributions.

Sec. 233. Treatment of certain party expenditures and communications containing express advocacy as expenditures.

Sec. 234. Reporting requirements for certain independent expenditures.

### TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Severability.

Sec. 302. Expedited review of constitutional issues.

Sec. 303. Effective date.

Sec. 304. Regulations.

1 **TITLE I—HOUSE OF REPRESENT-**  
 2 **ATIVES ELECTION SPENDING**  
 3 **LIMITS AND BENEFITS**

4 **SEC. 101. HOUSE OF REPRESENTATIVES ELECTION SPEND-**  
 5 **ING LIMITS AND BENEFITS.**

6 The Federal Election Campaign Act of 1971 is  
 7 amended by adding at the end the following new title:

8 **“TITLE V—SPENDING LIMITS**  
 9 **AND BENEFITS FOR HOUSE**  
 10 **OF REPRESENTATIVES ELEC-**  
 11 **TION CAMPAIGNS**

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

13 “(a) IN GENERAL.—For purposes of this title, a can-  
 14 didate is an eligible House of Representatives candidate  
 15 if the Commission has certified, pursuant to section 504,  
 16 that the candidate—

17 “(1) meets the election cycle filing requirements  
 18 of subsection (b); and

19 “(2) meets the threshold contribution require-  
 20 ments of subsection (c).

21 **“(b) FILING REQUIREMENTS.—**

22 “(1) IN GENERAL.—The requirements of this  
 23 subsection are met if the candidate files with the  
 24 Commission under penalty of perjury a declaration  
 25 that—

1           “(A) the candidate and the candidate’s au-  
2           thorized committees—

3                   “(i) will not exceed the expenditure  
4                   limits under section 502(a), (b), and (c),

5                   “(ii) will not accept contributions in  
6                   excess of the election cycle expenditure  
7                   limit, reduced by any amounts transferred  
8                   to this election cycle from a preceding elec-  
9                   tion cycle,

10                  “(iii) will not, in the event of a runoff  
11                  election, accept contributions in excess of  
12                  the runoff expenditure limit, reduced by  
13                  any amounts transferred to this election  
14                  cycle from a preceding election cycle,

15                  “(iv) will not accept any contributions  
16                  in violation of section 315, and

17                  “(v) will comply with the requirement  
18                  that, by the end of the election cycle, not  
19                  less than 60 percent of the total dollar  
20                  amount of all contributions from individ-  
21                  uals to the candidate or the candidate’s  
22                  authorized committees (including any ex-  
23                  penditures, contributions, or loans made by  
24                  the candidate) shall come from individuals

1                   legally residing in the candidate’s State;  
2                   and

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

5                   “(2) DEADLINE FOR FILING DECLARATION.—

6                   The declaration under paragraph (1) shall be filed  
7                   the date the candidate files as a candidate for the  
8                   primary election. In the case of a candidate who is  
9                   not eligible to participate in a primary election but  
10                  qualifies for the general election ballot under State  
11                  law, the declaration under paragraph (1) shall be  
12                  filed not later than the date the candidate qualifies  
13                  for the general election ballot under State law.”.

14                  “(3) NOTIFICATION.—A candidate who—

15                  “(A) files a declaration pursuant to sub-  
16                  section (b)(1) of this Act; and

17                  “(B) subsequently acts in a manner incon-  
18                  sistent with any of the limitations or require-  
19                  ments of the declaration filed under subsection  
20                  (b)(1) shall file a notification regarding such  
21                  acts with the Commission not later than 24  
22                  hours after the first such act inconsistent with  
23                  any of the limitations or requirements and shall  
24                  at the same time notify all other candidates for  
25                  the same office by sending a copy of the notifi-

1 cation filed with the Commission by certified  
2 mail, return receipt requested.

3 “(c) THRESHOLD CONTRIBUTION REQUIREMENTS.—

4 “(1) IN GENERAL.—The requirements of this  
5 subsection are met if the candidate and the can-  
6 didate’s authorized committees have received allow-  
7 able contributions during the applicable period in an  
8 amount equal to 10 percent of the election cycle ex-  
9 penditure limit under section 502(b), and file with  
10 the Commission under penalty of perjury a state-  
11 ment with supporting materials demonstrating that  
12 this requirement has been met.

13 “(2) DEFINITIONS.—For purposes of this sec-  
14 tion—

15 “(A) the term ‘allowable contributions’  
16 means contributions that are made as gifts of  
17 money by an individual pursuant to a written  
18 instrument identifying such individual as the  
19 contributor, except that—

20 “(i) such term shall not include con-  
21 tributions from individuals residing outside  
22 the candidate’s State to the extent such  
23 contributions exceed 40 percent of the  
24 amount set forth in paragraph (1),

1 “(ii) no more than \$200 of any con-  
 2 tribution from an individual shall be taken  
 3 into account; and

4 “(iii) such term shall not include any  
 5 contribution of an intermediary or conduit  
 6 within the meaning of section 301(a)(8);  
 7 and

8 “(B) the term ‘applicable period’ means—

9 “(i) the period beginning on January  
 10 1 of the calendar year preceding the cal-  
 11 endar year of the general election involved  
 12 and ending on the date of the general elec-  
 13 tion; or

14 “(ii) in the case of a special election  
 15 for the office of Representative in, or Dele-  
 16 gate or Resident Commissioner to, the  
 17 Congress, the period beginning on the date  
 18 the vacancy in such office occurs and end-  
 19 ing on the date of the general election.

20 **“SEC. 502. LIMITATION ON EXPENDITURES.**

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

22 “(1) **IN GENERAL.—**The aggregate amount of  
 23 expenditures that may be made during an election  
 24 cycle by an eligible House of Representatives can-  
 25 didate or such candidate’s authorized committees

1 from the sources described in paragraph (2) shall  
 2 not exceed 10 percent of the election cycle expendi-  
 3 ture limit under subsection (b).

4 “(2) SOURCES.—A source is described in this  
 5 subsection if it is—

6 “(A) personal funds of the candidate and  
 7 members of the candidate’s immediate family;  
 8 or

9 “(B) personal loans incurred by the can-  
 10 didate and members of the candidate’s imme-  
 11 diate family.

12 “(b) ELECTION CYCLE EXPENDITURE LIMIT.—

13 “(1) IN GENERAL.—Except as otherwise pro-  
 14 vided in this title, the aggregate amount of expendi-  
 15 tures for an election cycle by an eligible House of  
 16 Representatives candidate and the candidate’s au-  
 17 thorized committees shall not exceed \$600,000.

18 “(2) INDEXING.—The amount under paragraph  
 19 (1) shall be increased as of the beginning of each  
 20 calendar year based on the increase in the price  
 21 index determined under section 315(c), except that  
 22 the base period shall be calendar year 1997.

23 “(c) RUNOFF EXPENDITURE LIMITS.—The aggre-  
 24 gate amount of expenditures for a runoff election by an  
 25 eligible House of Representatives candidate and the can-



1 didate's authorized committees shall not exceed 20 percent  
2 of the election cycle expenditure limit under subsection  
3 (b).

4 “(d) PAYMENT OF TAXES.—The limitation under  
5 subsection (b) shall not apply to any expenditure for Fed-  
6 eral, State, or local taxes with respect to earnings on con-  
7 tributions raised.

8 “(e) CONTESTED PRIMARY.—If, as determined by the  
9 Commission, an eligible House of Representatives can-  
10 didate in a contested primary wins that primary election  
11 by a margin of 10 percent or less, the limitation contained  
12 in subsection (b)(1) shall be increased by 30 percent for  
13 such candidate, and such candidate shall be entitled to  
14 raise additional contributions not to exceed this amount.

15 “(f) COMPLYING CANDIDATES RUNNING AGAINST  
16 NONCOMPLYING CANDIDATES.—

17 “(1) If in the case of an election with more  
18 than one candidate where any candidate either—

19 “(A) fails to be certified as an eligible can-  
20 didate by the Commission and has expended  
21 personal funds in excess of 10 percent of the  
22 election cycle limits contained in subsection (b)  
23 or has received contributions or expended per-  
24 sonal funds which in the aggregate exceed 70

1           percent of the election cycle limits contained in  
2           subsection (b), or

3           “(B) violates the limitations on expendi-  
4           tures of this Act, any eligible House of Rep-  
5           resentatives candidate in that election shall be  
6           permitted to raise additional contributions up to  
7           an amount equal to 50 percent of the election  
8           cycle limit contained in subsection (b).

9           “(2) If the candidate who has failed to be cer-  
10          tified as an eligible candidate or who has violated  
11          the limitations on expenditures of this Act has re-  
12          ceived contributions or expended personal funds  
13          which, in the aggregate, exceed 120 percent of the  
14          election cycle limits contained in this section, any eli-  
15          gible House of Representatives candidate in that  
16          election shall be permitted to raise additional con-  
17          tributions up to an amount equal to 100 percent of  
18          the election cycle limit contained in subsection (b).

19          “(3) In the event a noncomplying candidate as  
20          defined in subparagraphs (A) or (B) of paragraph  
21          (1) spends an amount equal to 105 percent of the  
22          election cycle limit contained in subsection (b), the  
23          election cycle limit contained in subsection (b) for an  
24          eligible House of Representatives candidate in such  
25          election shall be increased by 50 percent. In the

1 event a noncomplying candidate spends an amount  
2 equal to 155 percent of the election cycle limit con-  
3 tained in subsection (b), the election cycle limit in  
4 subsection (b) for an eligible House of Representa-  
5 tives candidate in such election shall be increased by  
6 100 percent.

7 “(g) RESPONDING TO INDEPENDENT EXPENDI-  
8 TURES.—In the event an eligible House of Representatives  
9 candidate is notified pursuant to section 304(c)(4) by the  
10 Commission that independent expenditures totaling in the  
11 aggregate \$25,000 or more have been made in the same  
12 election in favor of another candidate or against such eligi-  
13 ble candidate, such eligible candidate shall be permitted  
14 to spend an amount equal to the amount of such independ-  
15 ent expenditures, without such expenditures being subject  
16 to such eligible candidates’s election cycle expenditure  
17 limit in subsection (b), as may be modified by subsection  
18 (c), (e), or (f).

19 **“SEC. 503. BENEFITS ELIGIBLE CANDIDATES ENTITLED TO**  
20 **RECEIVE.**

21 “For any election in which an eligible House of Rep-  
22 resentatives candidate has at least one opponent who has  
23 qualified for the ballot and who has raised in contributions  
24 or expended in personal funds an amount equal to 10 per-

1 cent of the election cycle limit in section 502(b), such eligi-  
2 ble candidate shall be entitled to receive—

3 “(1) the broadcast media rates provided under  
4 section 315(b) of the Communications Act of 1934;  
5 and

6 “(2) the reduced postage rates provided in sec-  
7 tion 3626(e) of title 39, United States Code.

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

9 “(a) IN GENERAL.—The Commission shall determine  
10 whether a candidate has met the requirements of this title  
11 and, based upon that determination, shall issue a certifi-  
12 cation stating whether or not such candidate is eligible to  
13 receive benefits under this title.

14 “(b) CERTIFICATION.—

15 “(1) ISSUANCE OF CERTIFICATION.—Upon re-  
16 ceipt of the declaration required under section  
17 501(b) and the statement required under section  
18 501(c), and such other information as the Commis-  
19 sion may by regulation require, the Commission  
20 shall determine if such candidate meets the eligi-  
21 bility requirements in section 501 and, if so, shall  
22 certify the candidate’s eligibility for the benefits re-  
23 ferred to in section 503.

24 “(2) REVOCATION.—The Commission shall re-  
25 voke such certification if, based on relevant informa-

1       tion submitted in such form and manner as the  
2       Commission may require or based on relevant infor-  
3       mation that otherwise comes to its attention, it de-  
4       termines a candidate—

5               “(A) violates any of the expenditure limits  
6               under this title by making an aggregate amount  
7               of expenditures that exceeds such limits by 5  
8               percent or more;

9               “(B) uses a benefit made available to the  
10              candidate under this title in a manner not pro-  
11              vided for under this title; or

12              “(C) fails to continue to meet the require-  
13              ments of this title.

14              “(3) TERMINATION OF BENEFITS.—A candidate  
15              whose certification has been revoked under para-  
16              graph (2) shall be ineligible for any further benefits  
17              under this title for the duration of the election cycle.

18              “(c) DETERMINATION BY COMMISSION.—All deter-  
19              minations (including certifications under this section)  
20              made by the Commission under this title shall be final,  
21              except to the extent that they are subject to examination  
22              and audit by the Commission under section 505 and sub-  
23              ject to judicial review.

1 **“SEC. 505. REPAYMENTS; ADDITIONAL CIVIL PENALTIES.**

2       “(a) **REQUIRING REPAYMENT.**—If the Commission  
3 revokes the certification of a candidate as an eligible  
4 House of Representatives candidate, the Commission shall  
5 so notify the candidate and the candidate shall pay to the  
6 provider of such benefits received an amount equal to the  
7 difference between the amount the candidate paid for such  
8 benefits and the amount the candidate would have paid  
9 for such benefits if the candidate were not an eligible can-  
10 didate under this title.

11       “(b) **CIVIL PENALTIES.**—

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

18           “(2) **MEDIUM AMOUNT OF EXCESS EXPENDI-**  
19 **TURES.**—Any eligible House of Representatives can-  
20 didate who makes expenditures that exceed a limita-  
21 tion under this title by more than 2.5 percent and  
22 less than 5 percent shall pay to the Commission an  
23 amount equal to 3 times the amount of the excess  
24 expenditures.

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

1        didate who makes expenditures that exceed a limita-  
 2        tion under this title by 5 percent or more shall pay  
 3        to the Commission an amount equal to 3 times the  
 4        amount of the excess expenditures plus a civil pen-  
 5        alty to be imposed pursuant to the procedures of  
 6        section 309.”.

7        **SEC. 102. BROADCAST RATES AND PREEMPTION.**

8        (a) BROADCAST RATES.—Section 315(b) of the Com-  
 9        munications Act of 1934 (47 U.S.C. 315(b)) is amended—  
 10        (1) by striking “(b) The charges” and inserting  
 11        “(b)(1) The charges”;  
 12        (2) by redesignating paragraphs (1) and (2) as  
 13        subparagraphs (A) and (B), respectively;  
 14        (3) in paragraph (1)(A), as redesignated—  
 15        (A) by striking “forty-five” and inserting  
 16        “30”; and  
 17        (B) by striking “lowest unit charge of the  
 18        station for the same class and amount of time  
 19        for the same period” and inserting “lowest  
 20        charge of the station for the same amount of  
 21        time for the same period on the same date”;  
 22        and  
 23        (4) by adding at the end the following new  
 24        paragraph:

1       “(2) In the case of an eligible House of Representa-  
2 tives candidate (as described in section 501(a) of the Fed-  
3 eral Election Campaign Act of 1971), the charges for the  
4 use of a television or radio broadcasting station during  
5 the 30-day period and 60-day period referred to in para-  
6 graph (1)(A) shall not exceed 50 percent of the lowest  
7 charge described in paragraph (1)(A).”.

8       (b) PREEMPTION; ACCESS.—Section 315 of such Act  
9 (47 U.S.C. 315) is amended—

10           (1) by redesignating subsections (c) and (d) as  
11 subsections (d) and (e), respectively; and

12           (2) by inserting immediately after subsection  
13 (b) the following subsection:

14       “(c)(1) Except as provided in paragraph (2), a li-  
15 censee shall not preempt the use, during any period speci-  
16 fied in subsection (b)(1)(A), of a broadcasting station by  
17 an eligible House of Representatives candidate who has  
18 purchased and paid for such use pursuant to subsection  
19 (b)(2).

20       “(2) If a program to be broadcast by a broadcasting  
21 station is preempted because of circumstances beyond the  
22 control of the broadcasting station, any candidate adver-  
23 tising spot scheduled to be broadcast during that program  
24 may also be preempted.”.



1 (c) REVOCATION OF LICENSE FOR FAILURE TO PER-  
2 MIT ACCESS.—Section 312(a)(7) of the Communications  
3 Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

4 (1) by inserting “or cable system” after “broad-  
5 casting station”; and

6 (2) by striking “his candidacy” and inserting  
7 “the candidacy of such person, under the same  
8 terms, conditions, and business practices as apply to  
9 its most favored advertiser”.

10 (d) JURISDICTION OVER TAKINGS CHALLENGE TO  
11 BROADCAST RATES.—The United States Court of Federal  
12 Claims shall have exclusive jurisdiction over any action  
13 challenging the constitutionality of the broadcast media  
14 rates required to be offered to political candidates under  
15 section 503(1) of the Federal Election Campaign Act of  
16 1971 and section 315(b) of the Communications Act of  
17 1934. Money damages shall be the sole and exclusive rem-  
18 edy in such cases, and only individuals or entities suffering  
19 actual financial injury shall have standing to maintain  
20 such an action.

21 (e) CONDITION OF RENEWAL OR NEW LICENSE.—  
22 Section 307 of the Communications Act of 1934 (47  
23 U.S.C. 307) is amended by adding the following: “The  
24 continuation of an existing license, the renewal of an ex-  
25 piring license, and the issuance of a new license shall be

1 expressly conditioned on the agreement by the licensee to  
 2 abide by the provisions of section 503(1) of the Federal  
 3 Election Campaign Act of 1971 and section 315(b) of this  
 4 Act. The Commission shall take such action as it deems  
 5 appropriate to assure compliance with this requirement.”.

6 (f) REGULATIONS.—The Federal Communications  
 7 Commission, in consultation with the Federal Election  
 8 Commission, shall issue regulations to modify the require-  
 9 ments of section 315 of the Communications Act of 1934  
 10 (as amended by subsection (a)) in any cases where a li-  
 11 censee establishes that such requirements would impose  
 12 significant economic hardship.

13 (g) EFFECTIVE DATE.—The amendments made by  
 14 this section shall apply to the general elections occurring  
 15 after the expiration of the 60-day period which begins on  
 16 the date of the enactment of this Act (and the election  
 17 cycles relating thereto).

18 **SEC. 103. REDUCED POSTAGE RATES.**

19 (a) IN GENERAL.—Section 3626(e) of title 39, Unit-  
 20 ed States Code, is amended—

21 (1) by redesignating paragraph (2) as para-  
 22 graph (3);

23 (2) in paragraph (3) (as so redesignated)—

24 (A) in subparagraph (A)—

1 (i) by striking “and the National” and  
2 inserting “the National”; and

3 (ii) by inserting before the semicolon  
4 the following: “, and, subject to paragraph  
5 (2), the principal campaign committee of  
6 an eligible House of Representatives can-  
7 didate;”;

8 (B) in subparagraph (B), by striking  
9 “and” after the semicolon;

10 (C) in subparagraph (C), by striking the  
11 period and inserting a semicolon; and

12 (D) by adding after subparagraph (C) the  
13 following new subparagraphs:

14 “(D) the term ‘principal campaign committee’  
15 has the meaning given such term in section 301 of  
16 the Federal Election Campaign Act of 1971;

17 “(E) the term ‘eligible House of Representa-  
18 tives candidate’ has the meaning given such term in  
19 section 501(a) of the Federal Election Campaign  
20 Act of 1971; and

21 “(F) the term ‘voting age population’ has the  
22 meaning given such term in section 315(e) of the  
23 Federal Election Campaign Act of 1971.”; and

24 (3) by adding after paragraph (1) the following  
25 new paragraph:

1 “(2) In the case of mail sent by the principal cam-  
 2 paign committee of an eligible House of Representatives  
 3 candidate, paragraph (1) shall not apply, with respect to  
 4 any election, except—

5 “(A) if the mail is sent to an individual in the  
 6 voting age population of the congressional district  
 7 involved; and

8 “(B) with respect to any individual under sub-  
 9 paragraph (A), to the extent of not to exceed 3  
 10 pieces of mail.”.

11 **SEC. 104. CONTRIBUTION LIMIT FOR ELIGIBLE HOUSE OF**  
 12 **REPRESENTATIVES CANDIDATES.**

13 Section 315(a)(1) of the Federal Election Campaign  
 14 Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

15 (1) by inserting “except as provided in subpara-  
 16 graph (B),” before “to” in subparagraph (A);

17 (2) by redesignating subparagraphs (B) and  
 18 (C) as subparagraphs (C) and (D), respectively; and

19 (3) by inserting immediately after subpara-  
 20 graph (A) the following new subparagraph:

21 “(B) to any eligible House of Representa-  
 22 tives candidate under title V and the authorized  
 23 political committees of such candidate with re-  
 24 spect to any general election for the office of  
 25 Representative in, or Delegate or Resident

Commissioner to, the Congress, which, in the aggregate, exceed \$2,000, if——

“(i) any other candidate in the election is a candidate who is not an eligible House of Representatives candidate under title V and for whom one of the following applies:

“(I) The candidate expends personal funds in excess of 25 percent of the applicable expenditure limit with respect to the election under section 502.

“(II) The sum of the aggregate amount of the contributions the candidate has received and the amount of personal funds the candidate has expended exceeds 50 percent of the applicable expenditure limit with respect to the election under section 502; or

“(ii) any other candidate in the election is an eligible House of Representatives candidate under title V who expends more than the applicable expenditure limit with respect to the election under section 502.”.

1 **SEC. 105. REPORTING REQUIREMENTS.**

2 Section 304 of the Federal Election Campaign Act  
3 of 1971 (2 U.S.C. 434) is amended by adding at the end  
4 the following new subsections:

5 “(d)(1) The principal campaign committee of any  
6 candidate for election as Representative in, or Delegate  
7 or Resident Commissioner to, the Congress shall report  
8 to the Commission if the amount of personal funds ex-  
9 pended by the candidate with respect to a general election  
10 exceeds the limitation described in section 502(a) and if  
11 the amount of personal funds expended by the candidate  
12 with respect to a general election cycle exceeds 25 percent  
13 of the applicable expenditure limit with respect to the elec-  
14 tion under section 502.

15 “(2) Any report under paragraph (1) shall be submit-  
16 ted within 48 hours of the date on which the amount of  
17 personal funds expended exceeds the amount requiring the  
18 submission of the report (or, if such date occurs after the  
19 20th day, but more than 24 hours before the election in-  
20 volved, within 24 hours of such date).

21 “(3) Within 48 hours of receiving any report under  
22 this subsection with respect to a candidate in a general  
23 election (or within 24 hours in the case of a report re-  
24 quired to be submitted to the Commission within 24  
25 hours), the Commission shall notify each candidate in the

1 election who is an eligible House of Representatives can-  
2 didate under title V of the report.

3 “(4) In this subsection, the term ‘personal funds’  
4 means personal funds of a candidate, the funds of the can-  
5 didate’s immediate family, and personal loans incurred by  
6 the candidate and the candidate’s immediate family.

7 “(e)(1) Except as provided in paragraph (4), the  
8 principal campaign committee of any candidate for elec-  
9 tion as Representative in, or Delegate or Resident Com-  
10 missioner to, the Congress shall report to the Commission  
11 if the sum of the aggregate amount of the contributions  
12 the candidate has received and the amount of personal  
13 funds the candidate has expended with respect to a gen-  
14 eral election exceeds 50 percent of the applicable expendi-  
15 ture limit with respect to the election under section 502,  
16 if such sum exceeds 70 percent of such limit, and if such  
17 sum exceeds 120 percent of such limit.

18 “(2) Any report under paragraph (1) shall be submit-  
19 ted within 48 hours of the date on which the sum of the  
20 candidate’s contributions and personal funds expended ex-  
21 ceeds the amount requiring the submission of the report  
22 (or, if such date occurs after the 20th day, but more than  
23 24 hours before the election involved, within 24 hours of  
24 such date).

1       “(3) Within 48 hours of receiving any report under  
2 this subsection with respect to a candidate in a general  
3 election (or within 24 hours in the case of a report re-  
4 quired to be submitted to the Commission within 24  
5 hours), the Commission shall notify each candidate in the  
6 election who is an eligible House of Representatives can-  
7 didate under title V of the report.

8       “(4) Paragraph (1) shall not apply to the principal  
9 campaign committee of any candidate who is an eligible  
10 House of Representatives candidate under title V.

11       “(5) In this subsection, the term ‘personal funds’  
12 means personal funds of a candidate, the funds of the can-  
13 didate’s immediate family, and personal loans incurred by  
14 the candidate and the candidate’s immediate family.

15       “(f)(1) The principal campaign committee of any can-  
16 didate for election as Representative in, or Delegate or  
17 Resident Commissioner to, the Congress shall report to  
18 the Commission if the aggregate amount of funds ex-  
19 pended by the candidate with respect to a general election  
20 exceeds 105 percent of the applicable expenditure limit  
21 with respect to the election under section 502 and if such  
22 amount exceeds 155 percent of such limit.

23       “(2) Any report under paragraph (1) shall be submit-  
24 ted within 48 hours of the date on which the amount of  
25 funds expended exceeds the amount requiring the submis-



1 sion of the report (or, if such date occurs after the 20th  
 2 day, but more than 24 hours before the election involved,  
 3 within 24 hours of such date).

4 “(3) Within 48 hours of receiving any report under  
 5 this subsection with respect to a candidate in a general  
 6 election (or within 24 hours in the case of a report re-  
 7 quired to be submitted to the Commission within 24  
 8 hours), the Commission shall notify each candidate in the  
 9 election who is an eligible House of Representatives can-  
 10 didate under title V of the report.”.

11 **TITLE II—REDUCTION OF**  
 12 **SPECIAL INTEREST INFLUENCE**  
 13 **Subtitle A—Limitations on Political**  
 14 **Action Committees and Large**  
 15 **Contributions of Individuals**

16 **SEC. 201. LIMITATIONS ON ACTIVITIES OF POLITICAL AC-**  
 17 **TION COMMITTEES IN FEDERAL ELECTIONS.**

18 (a) MODIFICATION OF LIMITS ON CONTRIBUTIONS  
 19 BY POLITICAL ACTION COMMITTEES.—

20 (1) IN GENERAL.—Section 315(a)(2)(A) of such  
 21 Act (2 U.S.C. 441a(a)(2)(A)) is amended to read as  
 22 follows:

23 “(A) to any candidate and the candidate’s au-  
 24 thorized political committees with respect to any  
 25 election for Federal office—

“(i) in the case of a candidate for election for the office of Representative to, or Delegate or Resident Commissioner in, the Congress, to the extent that the acceptance of the contribution will result in the aggregate amount of contributions received by the candidate and the committees to exceed 25 percent of the applicable limit on expenditures with respect to the election cycle involved under section 502, without regard to whether or not the candidate is an eligible House of Representatives candidate under title V; or

“(ii) which, in the aggregate, exceed the maximum amount which an individual may contribute to the candidate and the candidate’s authorized political committees with respect to the election under paragraph (1)(A);”.

(2) RETURN OF CERTAIN EXCESS CONTRIBUTIONS.—Section 315(f) of such Act (2 U.S.C. 441a(f)) is amended—

(A) by striking “(f)” and inserting “(f)(1)”; and

(B) by adding at the end the following new paragraph:

1       “(2) A candidate (or authorized committees of such  
2 candidate) who receives a contribution from a multicand-  
3 didate political committee in excess of the amount allowed  
4 under subsection (a)(2)(A)(i) shall return the amount of  
5 such excess contribution to the contributor.”.

6       (b) PROHIBITION OF LEADERSHIP COMMITTEES.—  
7 Section 302(e) of the Federal Election Campaign Act of  
8 1971 (2 U.S.C. 432(e)) is amended—

9               (1) by amending paragraph (3) to read as fol-  
10       lows:

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

14               “(A) a candidate for the office of President  
15 nominated by a political party may designate the na-  
16 tional committee of such political party as the can-  
17 didate’s principal campaign committee, but only if  
18 that national committee maintains separate books of  
19 account with respect to its functions as a principal  
20 campaign committee; and

21               “(B) a candidate may designate a political com-  
22 mittee established solely for the purpose of joint  
23 fundraising by such candidates as an authorized  
24 committee.”; and

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

3       “(6)(A) A candidate for Federal office or any individ-  
4       ual holding Federal office may not directly or indirectly  
5       establish, finance, maintain, or control any Federal or  
6       non-Federal political committee other than a principal  
7       campaign committee of the candidate, authorized commit-  
8       tee, party committee, or other political committee des-  
9       ignated in accordance with paragraph (3). A candidate for  
10      more than one Federal office may designate a separate  
11      principal campaign committee for each Federal office.  
12      This paragraph shall not preclude a Federal officeholder  
13      who is a candidate for State or local office from establish-  
14      ing, financing, maintaining, or controlling a political com-  
15      mittee for election of the individual to such State or local  
16      office.

17      “(B) For one year after the effective date of this  
18      paragraph, any political committee established before such  
19      date but which is prohibited under subparagraph (A) may  
20      continue to make contributions. At the end of that period  
21      such political committee shall disburse all funds by one  
22      or more of the following means:

23           “(i) Making contributions to an entity qualified  
24      under section 501(c)(3) of the Internal Revenue  
25      Code of 1986 that is not established, maintained, fi-

1       nanced, or controlled directly or indirectly by any  
 2       candidate for Federal office or any individual hold-  
 3       ing Federal office.

4           “(ii) Making a contribution to the treasury of  
 5       the United States.

6           “(iii) Making contributions to the national,  
 7       State, or local committees of a political party.

8           “(iv) Making contributions not to exceed  
 9       \$1,000 to candidates for elective office.”.

10   **SEC. 202. AGGREGATE LIMIT ON LARGE CONTRIBUTIONS.**

11       Title III of the Federal Election Campaign Act of  
 12   1971 (2 U.S.C. 431 et seq.) is amended by adding at the  
 13   end the following new section:

14       “AGGREGATE LIMIT ON LARGE CONTRIBUTIONS FOR  
 15                           HOUSE CANDIDATES

16       “SEC. 323. (a) IN GENERAL.—It shall be unlawful  
 17   for a candidate for election for the office of Representative  
 18   in, or Delegate or Resident Commissioner to, the Congress  
 19   (or the authorized committees of such candidate) to accept  
 20   any contribution from an individual in excess of \$250 to  
 21   the extent that the acceptance of such contribution will  
 22   cause the aggregate amount of contributions from individ-  
 23   uals in excess of \$250 received by the candidate and the  
 24   candidate’s authorized committees to exceed an amount  
 25   equal to 25 percent of the applicable election cycle spend-  
 26   ing limit with respect to the election under section 502,

1 without regard to whether or not the candidate is an eligi-  
 2 ble House of Representatives candidate under title V.

3 “(b) EXCEPTION FOR CERTAIN CANDIDATES.—The  
 4 restrictions of subsection (a) shall not apply to any can-  
 5 didate with respect to whom section 315(a)(1)(B) (as  
 6 added by section 104 of the Campaign Independence Res-  
 7 toration Act Part II) applies.”.

## 8 **Subtitle B—Contributions**

### 9 **SEC. 211. CONTRIBUTIONS THROUGH INTERMEDIARIES** 10 **AND CONDUITS.**

11 Section 315(a)(8) of the Federal Election Campaign  
 12 Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read  
 13 as follows:

14 “(8)(A) For purposes of the limitations imposed by  
 15 this section, all contributions made by a person, either di-  
 16 rectly or indirectly, on behalf of a particular candidate,  
 17 including contributions which are in any way earmarked  
 18 or otherwise directed through an intermediary or conduit  
 19 to such candidate, shall be treated as contributions from  
 20 such person to such candidate. The intermediary or con-  
 21 duit shall report the original source and the intended re-  
 22 cipient of such contribution to the Commission and to the  
 23 intended recipient.

24 “(B) Contributions that a bundler delivers to can-  
 25 didate or the candidate’s authorized committee shall be

1 treated as contributions from the bundler to the candidate  
2 as well as from the original contributor.

3 “(C) For purposes of this paragraph, the following  
4 definitions shall apply:

5 “(i) A ‘bundler’ means any of the following  
6 intermediaries or conduits which delivers contribu-  
7 tions from others (except as provided in subpara-  
8 graph (D)):

9 “(I) A political committee (other than the  
10 authorized campaign committee of the can-  
11 didate receiving the funds).

12 “(II) Any officer, employee or agent of a  
13 political committee.

14 “(III) A corporation, labor union, or part-  
15 nership.

16 “(IV) Any officer, employee, or agent of a  
17 corporation, labor union or partnership, but  
18 only if acting on behalf of such entity.

19 “(V) A person whose activities are required  
20 to be reported under the Lobbying Disclosure  
21 Act of 1995 or a person whose activities are re-  
22 quired to be reported pursuant to any successor  
23 Federal law which requires reporting on the ac-  
24 tivities of person who is a lobbyist or foreign  
25 agent.

1 “(ii) ‘Acting on behalf of such entity’ means—

2 “(I) soliciting one or more contributions in  
3 the name of such entity;

4 “(II) soliciting one or more contributions  
5 using other than incidental resources of such  
6 entity, and

7 “(III) soliciting one or more contributions  
8 by directing a significant portion of the solicita-  
9 tions to other officers, employees, agents, or  
10 members of such entity.

11 “(iii) ‘Deliver’ means any method used by a  
12 bundler to transmit contributions to a candidate  
13 which communicates to the candidate (or to the per-  
14 son who receives the contributions on behalf of the  
15 candidate) that the bundler had solicited or collected  
16 the contributions for the candidate, including (but  
17 not limited to)—

18 “(I) personal delivery;

19 “(II) United States mail or other similar  
20 services;

21 “(III) messenger service, or

22 “(IV) collection of the contributions at an  
23 event or reception.

24 “(D) For purposes of this paragraph, the following  
25 shall not be considered a ‘bundler’:



1 “(i) A candidate or Federal office holder who  
2 conducts fundraising efforts for the benefit of an-  
3 other candidate.

4 “(ii) An individual who, using the individual’s  
5 personal resources and acting in the individual’s own  
6 name, solicits, collects, or conveys contributions to a  
7 candidate or his agent, other than any individual de-  
8 scribed in subparagraph (C)(i)(II) or (C)(i)(V).”.

## 9 **Subtitle C—Additional Prohibitions** 10 **on Contributions**

### 11 **SEC. 221. PROHIBITION OF CONTRIBUTIONS BY NONCITI-** 12 **ZENS AND OTHER INDIVIDUALS NOT QUALI-** 13 **FIED TO VOTE.**

14 (a) PROHIBITION.—Section 319 of the Federal Elec-  
15 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended—

16 (1) in the heading, by adding “AND INDIVID-  
17 UALS NOT QUALIFIED TO REGISTER TO  
18 VOTE” at the end; and

19 (2) in subsection (a)—

20 (A) by striking “(a)” and inserting  
21 “(a)(1)”; and

22 (B) by adding at the end the following new  
23 paragraph:

24 “(2) It shall be unlawful for an individual who  
25 is not qualified to register to vote in a Federal elec-

1       tion to make a contribution, or to promise expressly  
 2       or impliedly to make a contribution, in connection  
 3       with a Federal election, or for any person to solicit,  
 4       accept, or receive a contribution in connection with  
 5       a Federal election from an individual who is not  
 6       qualified to register to vote in a Federal election.”.

7       (b) INCLUSION IN DEFINITION OF IDENTIFICA-  
 8       TION.—Section 301(13) of such Act (2 U.S.C. 431(13))  
 9       is amended—

10           (1) in subparagraph (A), by striking “em-  
 11       ployer;” and inserting “employer, together with an  
 12       affirmation that the individual is an individual who  
 13       is not prohibited by section 319 from making a con-  
 14       tribution” after “employer”; and

15           (2) in subparagraph (B) by inserting “and an  
 16       affirmation that the person is a person that is not  
 17       prohibited by section 319 from making a contribu-  
 18       tion” after “such person”.

## 19       **Subtitle D—Coordinated and** 20       **Independent Expenditures**

### 21       **SEC. 231. CLARIFICATION OF DEFINITIONS RELATING TO** 22       **INDEPENDENT EXPENDITURES.**

23       (a) DEFINITION OF “INDEPENDENT EXPENDI-  
 24       TURE”.—Section 301(17) of the Federal Election Cam-

1 paign Act of 1971 (2 U.S.C. 431(17)) is amended to read  
2 as follows:

3 “(17)(A) The term ‘independent expenditure’ means  
4 an expenditure that—

5 “(i) contains express advocacy; and

6 “(ii) is made without the participation or co-  
7 operation of, or without consultation with, or with-  
8 out coordination with a candidate or a candidate’s  
9 authorized committee or agent (within the meaning  
10 of section 301(8)(A)(iii).

11 “(B) The term ‘independent expenditure’ does not in-  
12 clude an expenditure or payment made in coordination  
13 with a candidate (within the meaning of section  
14 301(8)(A)(iii)).”.

15 (b) DEFINITION OF “EXPRESS ADVOCACY”.—Section  
16 301 of such Act (2 U.S.C. 431) is amended by adding  
17 at the end the following:

18 “(20)(A) Subject to subparagraph (B), the term ‘ex-  
19 press advocacy’ includes—

20 “(i) a communication that conveys a message  
21 that advocates the election or defeat of a clearly  
22 identified candidate for Federal office by using an  
23 expression such as ‘vote for’, ‘elect’, ‘support’, ‘vote  
24 against’, ‘defeat’, ‘reject’, ‘(name of candidate) for  
25 Congress’, ‘vote pro-life’, or ‘vote pro-choice’, accom-

1 panied by a listing or picture of a clearly identified  
2 candidate described as ‘pro-life’ or ‘pro-choice’, ‘re-  
3 ject the incumbent’, or a similar expression;

4 “(ii) a communication that is made through a  
5 broadcast medium, newspaper, magazine, billboard,  
6 direct mail, or similar type of general public commu-  
7 nication or political advertising that refers to a  
8 clearly identified candidate, that a reasonable person  
9 would understand as advocating the election or de-  
10 feat of the candidate, and that is made within 30  
11 days before the date of a primary election (and is  
12 targeted to the State in which the primary is occur-  
13 ring), or 60 days before a general election; or

14 “(iii) a communication that is made through a  
15 broadcast medium, newspaper, magazine, billboard,  
16 direct mail, or similar type of general public commu-  
17 nication or political advertising that refers to a  
18 clearly identified candidate, that a reasonable person  
19 would understand as advocating the election or de-  
20 feat of a candidate, that is made before the date  
21 that is 30 days before the date of a primary election,  
22 or 60 days before the date of a general election, and  
23 that is made for the purpose of advocating the elec-  
24 tion or defeat of the candidate, as shown by one or  
25 more factors such as a statement or action by the

1 person making the communication, the targeting or  
 2 placement of the communication, or the use by the  
 3 person making the communication of polling, demo-  
 4 graphic, or other similar data relating to the can-  
 5 didate’s campaign or election.

6 “(B) The term ‘express advocacy’ does not include  
 7 the publication or distribution of a communication that  
 8 is limited solely to providing information about the voting  
 9 record of elected officials on legislative matters and that  
 10 a reasonable person would not understand as advocating  
 11 the election or defeat of a particular candidate.”.

12 **SEC. 232. TREATMENT OF COORDINATED EXPENDITURES**  
 13 **AS CONTRIBUTIONS.**

14 (a) IN GENERAL.—Section 301(8) of the Federal  
 15 Election Campaign Act of 1971 (2 U.S.C. 431(8)) is  
 16 amended—

17 (1) in subparagraph (A)—

18 (A) by striking “or” at the end of clause

19 (i);

20 (B) by striking the period at the end of  
 21 clause (ii) and inserting “; or”; and

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

23 “(iii) a payment made for a commu-  
 24 nication or anything of value that is for  
 25 the purpose of influencing an election for

1 Federal office and that is a payment made  
2 in coordination with a candidate.”; and

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

4 “(C) For the purposes of subparagraph  
5 (A)(iii), the term ‘payment made in coordina-  
6 tion with a candidate’ includes—

7 “(i) a payment made by a person in  
8 cooperation, consultation, or concert with,  
9 at the request or suggestion of, or pursu-  
10 ant to any general or particular under-  
11 standing with a candidate, the candidate’s  
12 authorized committee, or an agent acting  
13 on behalf of a candidate or authorized  
14 committee;

15 “(ii) a payment made by a person for  
16 the dissemination, distribution, or republi-  
17 cation, in whole or in part, of any broad-  
18 cast or any written, graphic, or other form  
19 of campaign material prepared by a can-  
20 didate, a candidate’s authorized committee,  
21 or an agent of a candidate or authorized  
22 committee (not including a communication  
23 described in subparagraph (B)(i) or a com-  
24 munication that expressly advocates the  
25 candidate’s defeat);

1           “(iii) a payment made based on infor-  
2           mation about a candidate’s plans, projects,  
3           or needs provided to the person making the  
4           payment by the candidate or the can-  
5           didate’s agent who provides the informa-  
6           tion with a view toward having the pay-  
7           ment made;

8           “(iv) a payment made by a person if,  
9           in the same election cycle in which the pay-  
10          ment is made, the person making the pay-  
11          ment is serving or has served as a member,  
12          employee, fundraiser, or agent of the can-  
13          didate’s authorized committee in an execu-  
14          tive or policymaking position;

15          “(v) a payment made by a person if  
16          the person making the payment has served  
17          in any formal policy or advisory position  
18          with the candidate’s campaign or has par-  
19          ticipated in strategic or policymaking dis-  
20          cussions with the candidate’s campaign re-  
21          lating to the candidate’s pursuit of nomi-  
22          nation for election, or election, to Federal  
23          office, in the same election cycle as the  
24          election cycle in which the payment is  
25          made; and

1                   “(vi) a payment made by a person if,  
 2                   in the same election cycle, the person mak-  
 3                   ing the payment retains the professional  
 4                   services of any individual or person who  
 5                   has provided or is providing campaign-re-  
 6                   lated services in the same election cycle to  
 7                   a candidate in connection with the can-  
 8                   didate’s pursuit of nomination for election,  
 9                   or election, to Federal office, including  
 10                  services relating to the candidate’s decision  
 11                  to seek Federal office, and the professional  
 12                  is retained to work on activities relating to  
 13                  that candidate’s campaign.

14                  “(D) For purposes of subparagraph  
 15                  (C)(vi), the term ‘professional services’ includes  
 16                  services in support of a candidate’s pursuit of  
 17                  nomination for election, or election, to Federal  
 18                  office such as polling, media advice, direct mail,  
 19                  fundraising, or campaign research.

20                  (b) APPLICATION FOR PURPOSES OF CONTRIBUTION  
 21                  LIMITS.—Section 315(a)(7)(B) of such Act (2 U.S.C.  
 22                  441a(a)(7)(B)) is amended to read as follows:

23                         “(B) Payments made in coordination with  
 24                         a candidate, as described in section  
 25                         301(8)(A)(iii), shall be considered to be con-



1           tributions to such candidate, and in the case of  
 2           limitations on expenditures, shall be treated as  
 3           expenditures for purposes of this paragraph.”.

4           (c) APPLICATION FOR PURPOSES OF CONTRIBUTIONS  
 5 OF CORPORATIONS AND LABOR ORGANIZATIONS.—Sec-  
 6 tion 316(b)(2) of such Act (2 U.S.C. 441b(b)) is amended  
 7 by striking “shall include” and inserting “includes a con-  
 8 tribution or expenditure, as those terms are defined in sec-  
 9 tion 301, and also includes”.

10 **SEC. 233. TREATMENT OF CERTAIN PARTY EXPENDITURES**  
 11 **AND COMMUNICATIONS CONTAINING EX-**  
 12 **PRESS ADVOCACY AS EXPENDITURES.**

13           Section 301(9)(A) of the Federal Election Campaign  
 14 Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

15           (1) by striking “and” at the end of clause (i);

16           (2) by striking the period at the end of clause

17           (ii) and inserting a semicolon; and

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

19                   “(iii) any payment during an election  
 20                   year (or within 60 days before a special  
 21                   election in a nonelection year) for a com-  
 22                   munication that is made through any  
 23                   broadcast medium, newspaper, magazine,  
 24                   billboard, direct mail, or similar type of  
 25                   general public communication or political

advertising by a national, State, district, or local committee of a political party, including a congressional campaign committee of a party, that refers to a clearly identified candidate; and

“(iv) any payment for a communication that contains express advocacy.”.

**SEC. 234. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.**

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

(1) in paragraph (2), by striking the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) as paragraph (7); and

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

“(3)(A) Any person (including a political committee) making independent expenditures as defined in section 301(17) and (18) with respect to a candidate in an election aggregating \$1,000 or more made after the 20th day, but more than 24 hours, before the election shall file a report within 24 hours after such independent expenditures are made. An additional report shall be filed each time independent expenditures aggregating \$1,000 are

1 made with respect to the same candidate after the latest  
2 report filed under this subparagraph.

3 “(B) Any person (including a political committee)  
4 making independent expenditures with respect to a can-  
5 didate in an election aggregating \$10,000 or more made  
6 at any time up to and including the 20th day before the  
7 election shall file a report within 48 hours after such inde-  
8 pendent expenditures are made. An additional report shall  
9 be filed each time independent expenditures aggregating  
10 \$10,000 are made with respect to the same candidate  
11 after the latest report filed under this paragraph.

12 “(C) A report under subparagraph (A) or (B) shall  
13 be filed with the Commission and shall identify each can-  
14 didate whom the expenditure is actually intended to sup-  
15 port or to oppose. Not later than 2 business days after  
16 the Commission receives a report, the Commission shall  
17 transmit a copy of the report to each candidate seeking  
18 nomination or election to that office.

19 “(D) For purposes of this section, an independent ex-  
20 penditure shall be considered to have been made upon the  
21 making of any payment or the taking of any action to  
22 incur an obligation for payment.

23 “(4) The Commission may, upon a request of a can-  
24 didate or on its own initiative, make its own determination  
25 that a person, including a political committee, has made,

1 or has incurred obligations to make, independent expendi-  
2 tures with respect to any candidate in any election which  
3 in the aggregate exceed the applicable amounts under  
4 paragraph (3). The Commission shall notify each can-  
5 didate in such election of such determination made within  
6 2 business days after making it. Any determination made  
7 at the request of a candidate shall be made within 48  
8 hours of the request.

9 “(5) In the event that independent expenditures to-  
10 taling in the aggregate \$25,000 have been made in the  
11 same election in favor of another candidate or against an  
12 eligible House of Representatives candidate under title V,  
13 the Commission shall, within 2 business days, notify the  
14 eligible candidate that such candidate is entitled under  
15 section 502(g) to raise additional contributions equaling  
16 the amount of such independent expenditures. At such  
17 time as the aggregate amount the independent expendi-  
18 tures referred to in the preceding sentence, combined with  
19 the expenditures of all other candidates in such election,  
20 equals 100 percent of the applicable expenditure limit with  
21 respect to the election under section 502, the Commission  
22 shall, within 2 business days, notify the eligible candidate  
23 that such candidate is entitled under section 502(g) to  
24 make the expenditures provided for in section 502(g).

1       “(6)(A) A person who reserves broadcast time the  
2 payment for which would constitute an independent ex-  
3 penditure within the meaning of section 301(17) shall at  
4 the time of the reservation—

5           “(i) inform the broadcast licensee that payment  
6 for the broadcast time will constitute an independent  
7 expenditure;

8           “(ii) inform the broadcast licensee of the names  
9 of all candidates for the office to which the proposed  
10 broadcast relates and state whether the message to  
11 be broadcast is intended to be made in support of  
12 or in opposition to each such candidate; and

13           “(iii) provide the broadcast licensee a copy of  
14 the report described in paragraph (3).

15       “(B) For purposes of this paragraph, the term  
16 ‘broadcast’ includes any cablecast.

17       “(C) A licensee who is informed as described in sub-  
18 paragraph (A) shall—

19           “(i) notify each such candidate described in  
20 subparagraph (A)(ii) of the proposed making of the  
21 independent expenditure; and

22           “(ii) allow any such candidate (other than a  
23 candidate for whose benefit the independent expendi-  
24 ture is made) to purchase the same amount of  
25 broadcast time immediately after the broadcast time

1       paid for by the independent expenditure, at the cost  
2       specified in section 315(b) of the Communications  
3       Act of 1934, as amended by section 102 of the Cam-  
4       paign Independence Restoration Act Part II.”.

5       **TITLE III—MISCELLANEOUS**  
6       **PROVISIONS**

7       **SEC. 301. SEVERABILITY.**

8       If any provision of this Act, an amendment made by  
9       this Act, or the application of such provision or amend-  
10      ment to any other person or circumstance is held to be  
11      unconstitutional, the remainder of this Act, the amend-  
12      ments made by this Act, and the application of the provi-  
13      sions of such to any other person or circumstance shall  
14      not be affected thereby.

15      **SEC. 302. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

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

22      (b) **ACCEPTANCE AND EXPEDITION.**—The Supreme  
23      Court shall, if it has not previously ruled on the question  
24      addressed in the ruling below, accept jurisdiction over, ad-

1 vance on the docket, and expedite the appeal to the great-  
2 est extent possible.

3 **SEC. 303. EFFECTIVE DATE.**

4 Except as otherwise provided in this Act, the amend-  
5 ments made by, and the provisions of, this Act shall take  
6 effect 60 days after the date of the enactment of this Act.

7 **SEC. 304. REGULATIONS.**

8 The Federal Election Commission shall prescribe any  
9 regulations required to carry out this Act not later than  
10 9 months after the effective date of this Act.

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