

Calendar No. 558

105TH CONGRESS
2^D Session

H. R. 2183

AN ACT

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

SEPTEMBER 9, 1998

Read the second time and placed on the calendar

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105TH CONGRESS
2^D SESSION**H. R. 2183**

IN THE SENATE OF THE UNITED STATES

AUGUST 31, 1998

Received and read the first time

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AN ACT

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

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Bipartisan Campaign Reform Act of 1998”.

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—INDEPENDENT AND COORDINATED EXPENDITURES

- Sec. 201. Definitions.
- Sec. 202. Civil penalty.
- Sec. 203. Reporting requirements for certain independent expenditures.
- Sec. 204. Independent versus coordinated expenditures by party.
- Sec. 205. Coordination with candidates.

TITLE III—DISCLOSURE

- Sec. 301. Filing of reports using computers and facsimile machines.
- Sec. 302. Prohibition of deposit of contributions with incomplete contributor information.
- Sec. 303. Audits.
- Sec. 304. Reporting requirements for contributions of \$50 or more.
- Sec. 305. Use of candidates' names.
- Sec. 306. Prohibition of false representation to solicit contributions.
- Sec. 307. Soft money of persons other than political parties.
- Sec. 308. Campaign advertising.

TITLE IV—PERSONAL WEALTH OPTION

- Sec. 401. Voluntary personal funds expenditure limit.
- Sec. 402. Political party committee coordinated expenditures.

TITLE V—MISCELLANEOUS

- Sec. 501. Codification of Beck decision.
- Sec. 502. Use of contributed amounts for certain purposes.
- Sec. 503. Limit on congressional use of the franking privilege.
- Sec. 504. Prohibition of fundraising on Federal property.
- Sec. 505. Penalties for knowing and willful violations.
- Sec. 506. Ban on campaign contributions by noncitizens.
- Sec. 507. Prohibition of contributions by minors.
- Sec. 508. Expedited procedures.
- Sec. 509. Initiation of enforcement proceeding.
- Sec. 510. Protecting equal participation of eligible voters in campaigns and elections.
- Sec. 511. Prohibiting noncitizen individuals from making contributions in connection with Federal elections.
- Sec. 512. Penalty for violation of prohibition against foreign contributions.
- Sec. 513. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
- Sec. 514. Conspiracy to violate Presidential campaign spending limits.
- Sec. 515. Deposit of certain contributions and donations in treasury account.
- Sec. 516. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
- Sec. 517. Permitting permanent resident aliens serving in Armed Forces to make contributions.
- Sec. 518. Enforcement of spending limit on Presidential and Vice Presidential candidates who receive public financing.

TITLE VI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE
DATE; REGULATIONS

- Sec. 601. Severability.
- Sec. 602. Review of constitutional issues.
- Sec. 603. Effective date.
- Sec. 604. Regulations.

TITLE VII—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE
REFORM

- Sec. 701. Establishment and purpose of Commission.
- Sec. 702. Membership of Commission.
- Sec. 703. Powers of Commission.
- Sec. 704. Administrative provisions.
- Sec. 705. Report and recommended legislation.
- Sec. 706. Expedited congressional consideration of legislation.
- Sec. 707. Termination.
- Sec. 708. Authorization of appropriations.

TITLE VIII—PROHIBITING USE OF WHITE HOUSE MEALS AND
ACCOMMODATIONS FOR POLITICAL FUNDRAISING

- Sec. 801. Prohibiting use of White House meals and accommodations for political fundraising.

TITLE IX—SENSE OF THE CONGRESS REGARDING FUNDRAISING
ON FEDERAL GOVERNMENT PROPERTY

- Sec. 901. Sense of the Congress regarding applicability of controlling legal authority to fundraising on Federal Government property.

TITLE X—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO
CERTAIN FEDERAL GOVERNMENT PROPERTY

- Sec. 1001. Prohibition against acceptance or solicitation to obtain access to certain Federal Government property.

TITLE XI—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR
POLITICAL FUNDRAISING

- Sec. 1101. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.

TITLE XII—PROHIBITING USE OF WALKING AROUND MONEY

- Sec. 1201. Prohibiting campaigns from providing currency to individuals for purposes of encouraging turnout on date of election.

TITLE XIII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

- Sec. 1301. Enhancing enforcement of campaign finance law.

TITLE XIV—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY
PRESIDENTIAL CANDIDATES

- Sec. 1401. Ban on coordination of soft money for issue advocacy by Presidential candidates receiving public financing.

TITLE XV—POSTING NAMES OF CERTAIN AIR FORCE ONE
PASSENGERS ON INTERNET

Sec. 1501. Requirement that names of passengers on Air Force One and Air
Force Two be made available through the internet.

TITLE XVI—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS
RECEIVING FOREIGN CONTRIBUTIONS

Sec. 1601. Permitting consideration of privileged motion to expel House Mem-
ber accepting illegal foreign contribution.

1 TITLE I—REDUCTION OF
2 SPECIAL INTEREST INFLUENCE

3 SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

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

7 “SOFT MONEY OF POLITICAL PARTIES

8 “SEC. 323. (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) and any of-
12 ficers or agents of such party committees, shall not
13 solicit, receive, or direct to another person a con-
14 tribution, donation, or transfer of funds, or spend
15 any funds, that are not subject to the limitations,
16 prohibitions, and reporting requirements of this Act.

17 “(2) APPLICABILITY.—This subsection shall
18 apply to an entity that is directly or indirectly estab-
19 lished, financed, maintained, or controlled by a na-
20 tional committee of a political party (including a na-

1 tional congressional campaign committee of a politi-
2 cal party), or an entity acting on behalf of a national
3 committee, and an officer or agent acting on behalf
4 of any such committee or entity.

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

6 “(1) IN GENERAL.—An amount that is ex-
7 pended or disbursed by a State, district, or local
8 committee of a political party (including an entity
9 that is directly or indirectly established, financed,
10 maintained, or controlled by a State, district, or
11 local committee of a political party and an officer or
12 agent acting on behalf of such committee or entity)
13 for Federal election activity shall be made from
14 funds subject to the limitations, prohibitions, and re-
15 porting requirements of this Act.

16 “(2) FEDERAL ELECTION ACTIVITY.—

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

19 “(i) voter registration activity during
20 the period that begins on the date that is
21 120 days before the date a regularly sched-
22 uled Federal election is held and ends on
23 the date of the election;

24 “(ii) voter identification, get-out-the-
25 vote activity, or generic campaign activity

1 conducted in connection with an election in
2 which a candidate for Federal office ap-
3 pears on the ballot (regardless of whether
4 a candidate for State or local office also
5 appears on the ballot); and

6 “(iii) a communication that refers to a
7 clearly identified candidate for Federal of-
8 fice (regardless of whether a candidate for
9 State or local office is also mentioned or
10 identified) and is made for the purpose of
11 influencing a Federal election (regardless
12 of whether the communication is express
13 advocacy).

14 “(B) EXCLUDED ACTIVITY.—The term
15 ‘Federal election activity’ does not include an
16 amount expended or disbursed by a State, dis-
17 trict, or local committee of a political party
18 for—

19 “(i) campaign activity conducted sole-
20 ly on behalf of a clearly identified can-
21 didate for State or local office, provided
22 the campaign activity is not a Federal elec-
23 tion activity described in subparagraph
24 (A);

1 “(ii) a contribution to a candidate for
2 State or local office, provided the contribu-
3 tion is not designated or used to pay for a
4 Federal election activity described in sub-
5 paragraph (A);

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

8 “(iv) the costs of grassroots campaign
9 materials, including buttons, bumper stick-
10 ers, and yard signs, that name or depict
11 only a candidate for State or local office;

12 “(v) the non-Federal share of a State,
13 district, or local party committee’s admin-
14 istrative and overhead expenses (but not
15 including the compensation in any month
16 of an individual who spends more than 20
17 percent of the individual’s time on Federal
18 election activity) as determined by a regu-
19 lation promulgated by the Commission to
20 determine the non-Federal share of a
21 State, district, or local party committee’s
22 administrative and overhead expenses; and

23 “(vi) the cost of constructing or pur-
24 chasing an office facility or equipment for
25 a State, district or local committee.

1 “(c) FUNDRAISING COSTS.—An amount spent by a
2 national, State, district, or local committee of a political
3 party, by an entity that is established, financed, main-
4 tained, or controlled by a national, State, district, or local
5 committee of a political party, or by an agent or officer
6 of any such committee or entity, to raise funds that are
7 used, in whole or in part, to pay the costs of a Federal
8 election activity shall be made from funds subject to the
9 limitations, prohibitions, and reporting requirements of
10 this Act.

11 “(d) TAX-EXEMPT ORGANIZATIONS.—A national,
12 State, district, or local committee of a political party (in-
13 cluding a national congressional campaign committee of
14 a political party, an entity that is directly or indirectly
15 established, financed, maintained, or controlled by any
16 such national, State, district, or local committee or its
17 agent, an agent acting on behalf of any such party com-
18 mittee, and an officer or agent acting on behalf of any
19 such party committee or entity), shall not solicit any funds
20 for, or make or direct any donations to, an organization
21 that is described in section 501(c) of the Internal Revenue
22 Code of 1986 and exempt from taxation under section
23 501(a) of such Code (or has submitted an application to
24 the Commissioner of the Internal Revenue Service for de-
25 termination of tax-exemption under such section).

1 “(e) CANDIDATES.—

2 “(1) IN GENERAL.—A candidate, individual
3 holding Federal office, or agent of a candidate or in-
4 dividual holding Federal office shall not solicit, re-
5 ceive, direct, transfer, or spend funds for a Federal
6 election activity on behalf of such candidate, individ-
7 ual, agent or any other person, unless the funds are
8 subject to the limitations, prohibitions, and reporting
9 requirements of this Act.

10 “(2) STATE LAW.—Paragraph (1) does not
11 apply to the solicitation or receipt of funds by an in-
12 dividual who is a candidate for a State or local office
13 if the solicitation or receipt of funds is permitted
14 under State law for any activity other than a Fed-
15 eral election activity.

16 “(3) FUNDRAISING EVENTS.—Paragraph (1)
17 does not apply in the case of a candidate who at-
18 tends, speaks, or is a featured guest at a fundraising
19 event sponsored by a State, district, or local commit-
20 tee of a political party.”.

1 **SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE**
2 **COMMITTEES OF POLITICAL PARTIES AND**
3 **AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.**
4

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

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

11 (2) in subparagraph (C)—

12 (A) by inserting “(other than a committee
13 described in subparagraph (D))” after “com-
14 mittee”; and

15 (B) by striking the period at the end and
16 inserting “; or”; and

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

18 “(D) to a political committee established and
19 maintained by a State committee of a political party
20 in any calendar year that, in the aggregate, exceed
21 \$10,000”.

22 (b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVID-
23 UAL.—Section 315(a)(3) of the Federal Election Cam-
24 paign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by
25 striking “\$25,000” and inserting “\$30,000”.

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

2 (a) REPORTING REQUIREMENTS.—Section 304 of the
3 Federal Election Campaign Act of 1971 (2 U.S.C. 434)
4 (as amended by section 203) is amended by inserting after
5 subsection (d) the following:

6 “(e) POLITICAL COMMITTEES.—

7 “(1) NATIONAL AND CONGRESSIONAL POLITI-
8 CAL COMMITTEES.—The national committee of a po-
9 litical party, any national congressional campaign
10 committee of a political party, and any subordinate
11 committee of either, shall report all receipts and dis-
12 bursements during the reporting period.

13 “(2) OTHER POLITICAL COMMITTEES TO WHICH
14 SECTION 323 APPLIES.—A political committee (not
15 described in paragraph (1)) to which section
16 323(b)(1) applies shall report all receipts and dis-
17 bursements made for activities described in para-
18 graphs (2)(A) and (3)(B)(v) of section 323(b).

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

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

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

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

10 (2) by redesignating clauses (ix) through (xiv)
11 as clauses (viii) through (xiii), respectively.

12 **TITLE II—INDEPENDENT AND** 13 **COORDINATED EXPENDITURES**

14 **SEC. 201. DEFINITIONS.**

15 (a) DEFINITION OF INDEPENDENT EXPENDITURE.—
16 Section 301 of the Federal Election Campaign Act (2
17 U.S.C. 431) is amended by striking paragraph (17) and
18 inserting the following:

19 “(17) INDEPENDENT EXPENDITURE.—

20 “(A) IN GENERAL.—The term ‘independ-
21 ent expenditure’ means an expenditure by a
22 person—

23 “(i) for a communication that is ex-
24 press advocacy; and

1 “(ii) that is not provided in coordina-
2 tion with a candidate or a candidate’s
3 agent or a person who is coordinating with
4 a candidate or a candidate’s agent.”.

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

9 “(20) EXPRESS ADVOCACY.—

10 “(A) IN GENERAL.—The term ‘express ad-
11 vocacy’ means a communication that advocates
12 the election or defeat of a candidate by—

13 “(i) containing a phrase such as ‘vote
14 for’, ‘re-elect’, ‘support’, ‘cast your ballot
15 for’, ‘(name of candidate) for Congress’,
16 ‘(name of candidate) in 1997’, ‘vote
17 against’, ‘defeat’, ‘reject’, or a campaign
18 slogan or words that in context can have
19 no reasonable meaning other than to advo-
20 cate the election or defeat of one or more
21 clearly identified candidates;

22 “(ii) referring to one or more clearly
23 identified candidates in a paid advertise-
24 ment that is transmitted through radio or
25 television within 60 calendar days preced-

ing the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

“(iii) expressing unmistakable and unambiguous support for or opposition to one or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

“(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term ‘express advocacy’ does not include a communication which is in printed form or posted on the Internet that—

“(i) presents information solely about the voting record or position on a campaign issue of one or more candidates: *Provided, however,* That the sponsor of the voting record or voting guide may state its agreement or disagreement with the record or position of the candidate: *Provided further,* That the voting record or voting

1 guide when taken as a whole does not ex-
2 press unmistakable and unambiguous sup-
3 port for or opposition to one or more clear-
4 ly identified candidates;

5 “(ii) is not made in coordination with
6 a candidate, political party, or agent of the
7 candidate or party, or a candidate’s agent
8 or a person who is coordinating with a can-
9 didate or a candidate’s agent: *Provided*,
10 That nothing herein shall prevent the
11 sponsor of the voting guide from directing
12 questions in writing to candidates about
13 their position on issues for purposes of
14 preparing a voter guide, and the candidate
15 from responding in writing to such ques-
16 tions; and

17 “(iii) does not contain a phrase such
18 as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your
19 ballot for’, ‘(name of candidate) for Con-
20 gress’, ‘(name of candidate) in 1997’, ‘vote
21 against’, ‘defeat’, or ‘reject’, or a campaign
22 slogan or words that in context can have
23 no reasonable meaning other than to urge
24 the election or defeat of one or more clear-
25 ly identified candidates.”.

1 (c) DEFINITION OF EXPENDITURE.—Section
 2 301(9)(A) of the Federal Election Campaign Act of 1971
 3 (2 U.S.C. 431(9)(A)) is amended—

4 (1) in clause (i), by striking “and” at the end;

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

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

8 “(iii) a payment for a communication that is
 9 express advocacy; and

10 “(iv) a payment made by a person for a com-
 11 munication that—

12 “(I) refers to a clearly identified candidate;

13 “(II) is provided in coordination with the
 14 candidate, the candidate’s agent, or the political
 15 party of the candidate; and

16 “(III) is for the purpose of influencing a
 17 Federal election (regardless of whether the com-
 18 munication is express advocacy).”.

19 **SEC. 202. EXPRESS ADVOCACY DETERMINED WITHOUT RE-**
 20 **GARD TO BACKGROUND MUSIC.**

21 Section 301 (2 U.S.C. 431) is amended by adding
 22 at the end the following new paragraph:

23 “(20) In determining whether any communica-
 24 tion by television or radio broadcast constitutes ex-
 25 press advocacy for purposes of this Act, there shall

1 not be taken into account any background music not
2 including lyrics used in such broadcast.”.

3 **SEC. 203. CIVIL PENALTY.**

4 Section 309 of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 437g) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (4)(A)—

8 (i) in clause (i), by striking “clause
9 (ii)” and inserting “clauses (ii) and (iii)”;

10 and

11 (ii) by adding at the end the follow-
12 ing:

13 “(iii) If the Commission determines by an affirmative
14 vote of 4 of its members that there is probable cause to
15 believe that a person has made a knowing and willful viola-
16 tion of section 304(c), the Commission shall not enter into
17 a conciliation agreement under this paragraph and may
18 institute a civil action for relief under paragraph (6)(A).”;
19 and

20 (B) in paragraph (6)(B), by inserting “(ex-
21 cept an action instituted in connection with a
22 knowing and willful violation of section
23 304(c))” after “subparagraph (A)”; and

24 (2) in subsection (d)(1)—

1 (A) in subparagraph (A), by striking “Any
 2 person” and inserting “Except as provided in
 3 subparagraph (D), any person”; and

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

5 “(D) In the case of a knowing and willful violation
 6 of section 304(c) that involves the reporting of an inde-
 7 pendent expenditure, the violation shall not be subject to
 8 this subsection.”.

9 **SEC. 204. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
 10 **PENDENT EXPENDITURES.**

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

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

15 (2) by redesignating paragraph (3) of sub-
 16 section (c) as subsection (f); and

17 (3) by inserting after subsection (c)(2) (as
 18 amended by paragraph (1)) the following:

19 “(d) TIME FOR REPORTING CERTAIN EXPENDI-
 20 TURES.—

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

22 “(A) INITIAL REPORT.—A person (includ-
 23 ing a political committee) that makes or con-
 24 tracts to make independent expenditures aggre-
 25 gating \$1,000 or more after the 20th day, but

1 more than 24 hours, before the date of an elec-
2 tion shall file a report describing the expendi-
3 tures within 24 hours after that amount of
4 independent expenditures has been made.

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

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

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

22 “(B) ADDITIONAL REPORTS.—After a per-
23 son files a report under subparagraph (A), the
24 person shall file an additional report within 48
25 hours after each time the person makes or con-

1 tracts to make independent expenditures aggre-
 2 gating an additional \$10,000 with respect to
 3 the same election as that to which the initial re-
 4 port relates.

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

7 “(A) shall be filed with the Commission;
 8 and

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

13 **SEC. 205. INDEPENDENT VERSUS COORDINATED EXPENDI-**
 14 **TURES BY PARTY.**

15 Section 315(d) of the Federal Election Campaign Act
 16 (2 U.S.C. 441a(d)) is amended—

17 (1) in paragraph (1), by striking “and (3)” and
 18 inserting “, (3), and (4)”; and

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

20 “(4) INDEPENDENT VERSUS COORDINATED EXPEND-
 21 ITURES BY PARTY.—

22 “(A) IN GENERAL.—On or after the date on
 23 which a political party nominates a candidate, a
 24 committee of the political party shall not make both
 25 expenditures under this subsection and independent

1 expenditures (as defined in section 301(17)) with re-
2 spect to the candidate during the election cycle.

3 “(B) CERTIFICATION.—Before making a coordi-
4 nated expenditure under this subsection with respect
5 to a candidate, a committee of a political party shall
6 file with the Commission a certification, signed by
7 the treasurer of the committee, that the committee
8 has not and shall not make any independent expend-
9 iture with respect to the candidate during the same
10 election cycle.

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

19 “(D) TRANSFERS.—A committee of a political
20 party that submits a certification under subpara-
21 graph (B) with respect to a candidate shall not, dur-
22 ing an election cycle, transfer any funds to, assign
23 authority to make coordinated expenditures under
24 this subsection to, or receive a transfer of funds
25 from, a committee of the political party that has

1 made or intends to make an independent expendi-
2 ture with respect to the candidate.”.

3 **SEC. 206. COORDINATION WITH CANDIDATES.**

4 (a) DEFINITION OF COORDINATION WITH CAN-
5 DIDATES.—

6 (1) SECTION 301(8).—Section 301(8) of the
7 Federal Election Campaign Act of 1971 (2 U.S.C.
8 431(8)) is amended—

9 (A) in subparagraph (A)—

10 (i) by striking “or” at the end of
11 clause (i);

12 (ii) by striking the period at the end
13 of clause (ii) and inserting “; or”; and

14 (iii) by adding at the end the follow-
15 ing:

16 “(iii) anything of value provided by a
17 person in coordination with a candidate for
18 the purpose of influencing a Federal elec-
19 tion, regardless of whether the value being
20 provided is a communication that is ex-
21 press advocacy, in which such candidate
22 seeks nomination or election to Federal of-
23 fice.”; and

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

1 “(C) The term ‘provided in coordination
2 with a candidate’ includes—

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

11 “(ii) a payment made by a person for
12 the production, dissemination, distribution,
13 or republication, in whole or in part, of any
14 broadcast or any written, graphic, or other
15 form of campaign material prepared by a
16 candidate, a candidate’s authorized com-
17 mittee, or an agent of a candidate or au-
18 thorized committee (not including a com-
19 munication described in paragraph
20 (9)(B)(i) or a communication that ex-
21 pressly advocates the candidate’s defeat);

22 “(iii) a payment made by a person
23 based on information about a candidate’s
24 plans, projects, or needs provided to the
25 person making the payment by the can-

1 didate or the candidate's agent who pro-
2 vides the information with the intent that
3 the payment be made;

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

11 “(v) a payment made by a person if
12 the person making the payment has served
13 in any formal policy making or advisory
14 position with the candidate's campaign or
15 has participated in formal strategic or for-
16 mal policymaking discussions with the can-
17 didate's campaign relating to the can-
18 didate's pursuit of nomination for election,
19 or election, to Federal office, in the same
20 election cycle as the election cycle in which
21 the payment is made: *Provided, however,*
22 That such discussions shall not include a
23 lobbying contact under the Lobbying Dis-
24 closure Act of 1995 in the case of a can-
25 didate holding Federal office or consisting

1 of similar lobbying activity in the case of
2 a candidate holding State or elective office;

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

16 “(vii) a payment made by a person
17 who has engaged in a coordinated activity
18 with a candidate described in clauses (i)
19 through (vi) for a communication that
20 clearly refers to the candidate and is for
21 the purpose of influencing an election (re-
22 gardless of whether the communication is
23 express advocacy);

24 “(viii) direct participation by a person
25 in fundraising activities with the candidate

1 or in the solicitation or receipt of contribu-
2 tions on behalf of the candidate;

3 “(ix) communication by a person with
4 the candidate or an agent of the candidate,
5 occurring after the declaration of can-
6 didacy (including a pollster, media consult-
7 ant, vendor, advisor, or staff member), act-
8 ing on behalf of the candidate, about ad-
9 vertising message, allocation of resources,
10 fundraising, or other campaign matters re-
11 lated to the candidate’s campaign, includ-
12 ing campaign operations, staffing, tactics,
13 or strategy; or

14 “(x) the provision of in-kind profes-
15 sional services or polling data to the can-
16 didate or candidate’s agent.

17 “(D) For purposes of subparagraph (C),
18 the term ‘professional services’ means polling,
19 media advice, fundraising, campaign research or
20 direct mail (except for mailhouse services solely
21 for the distribution of voter guides as defined in
22 section 431(20)(B)) services in support of a
23 candidate’s pursuit of nomination for election,
24 or election, to Federal office.

1 “(E) For purposes of subparagraph (C),
 2 all political committees established and main-
 3 tained by a national political party (including
 4 all congressional campaign committees) and all
 5 political committees established and maintained
 6 by a State political party (including any subor-
 7 dinate committee of a State committee) shall be
 8 considered to be a single political committee.”.

9 (2) SECTION 315(a)(7).—Section 315(a)(7) (2
 10 U.S.C. 441a(a)(7)) is amended by striking subpara-
 11 graph (B) and inserting the following:

12 “(B) a thing of value provided in coordina-
 13 tion with a candidate, as described in section
 14 301(8)(A)(iii), shall be considered to be a con-
 15 tribution to the candidate, and in the case of a
 16 limitation on expenditures, shall be treated as
 17 an expenditure by the candidate.”.

18 (b) MEANING OF CONTRIBUTION OR EXPENDITURE
 19 FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2)
 20 of the Federal Election Campaign Act of 1971 (2 U.S.C.
 21 441b(b)) is amended by striking “shall include” and in-
 22 serting “includes a contribution or expenditure, as those
 23 terms are defined in section 301, and also includes”.

TITLE III—DISCLOSURE

SEC. 301. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES.

Section 302(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

“(11)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

“(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or expenditures in excess of a threshold amount determined by the Commission; and

“(ii) may maintain and file a designation, statement, or report in electronic form or an alternative form, including the use of a facsimile machine, if not required to do so under the regulation promulgated under clause (i).

“(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the

1 designation, statement, report, or notification is re-
2 ceived by the Commission.

3 “(C) In promulgating a regulation under this
4 paragraph, the Commission shall provide methods
5 (other than requiring a signature on the document
6 being filed) for verifying designations, statements,
7 and reports covered by the regulation. Any document
8 verified under any of the methods shall be treated
9 for all purposes (including penalties for perjury) in
10 the same manner as a document verified by signa-
11 ture.”.

12 **SEC. 302. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS**
13 **WITH INCOMPLETE CONTRIBUTOR INFORMA-**
14 **TION.**

15 Section 302 of Federal Election Campaign Act of
16 1971 (2 U.S.C. 432) is amended by adding at the end
17 the following:

18 “(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of
19 a candidate’s authorized committee shall not deposit, ex-
20 cept in an escrow account, or otherwise negotiate a con-
21 tribution from a person who makes an aggregate amount
22 of contributions in excess of \$200 during a calendar year
23 unless the treasurer verifies that the information required
24 by this section with respect to the contributor is com-
25 plete.”.

1 **SEC. 303. AUDITS.**

2 (a) RANDOM AUDITS.—Section 311(b) of the Federal
3 Election Campaign Act of 1971 (2 U.S.C. 438(b)) is
4 amended—

5 (1) by inserting “(1) IN GENERAL.—” before
6 “The Commission”; and

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

8 “(2) RANDOM AUDITS.—

9 “(A) IN GENERAL.—Notwithstanding para-
10 graph (1), the Commission may conduct ran-
11 dom audits and investigations to ensure vol-
12 untary compliance with this Act. The selection
13 of any candidate for a random audit or inves-
14 tigation shall be based on criteria adopted by a
15 vote of at least four members of the Commis-
16 sion.

17 “(B) LIMITATION.—The Commission shall
18 not conduct an audit or investigation of a can-
19 didate’s authorized committee under subpara-
20 graph (A) until the candidate is no longer a
21 candidate for the office sought by the candidate
22 in an election cycle.

23 “(C) APPLICABILITY.—This paragraph
24 does not apply to an authorized committee of a
25 candidate for President or Vice President sub-

1 ject to audit under section 9007 or 9038 of the
2 Internal Revenue Code of 1986.”.

3 (b) EXTENSION OF PERIOD DURING WHICH CAM-
4 PAIGN AUDITS MAY BE BEGUN.—Section 311(b) of the
5 Federal Election Campaign Act of 1971 (2 U.S.C. 438(b))
6 is amended by striking “6 months” and inserting “12
7 months”.

8 **SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBU-**
9 **TIONS OF \$50 OR MORE.**

10 Section 304(b)(3)(A) of the Federal Election Cam-
11 paign Act at 1971 (2 U.S.C. 434(b)(3)(A) is amended—

12 (1) by striking “\$200” and inserting “\$50”;
13 and

14 (2) by striking the semicolon and inserting
15 “, except that in the case of a person who makes
16 contributions aggregating at least \$50 but not more
17 than \$200 during the calendar year, the identifica-
18 tion need include only the name and address of the
19 person;”.

20 **SEC. 305. USE OF CANDIDATES’ NAMES.**

21 Section 302(e) of the Federal Election Campaign Act
22 of 1971 (2 U.S.C. 432(e)) is amended by striking para-
23 graph (4) and inserting the following:

1 “(4)(A) The name of each authorized commit-
 2 tee shall include the name of the candidate who au-
 3 thorized the committee under paragraph (1).

4 “(B) A political committee that is not an au-
 5 thorized committee shall not—

6 “(i) include the name of any can-
 7 didate in its name; or

8 “(ii) except in the case of a national,
 9 State, or local party committee, use the
 10 name of any candidate in any activity on
 11 behalf of the committee in such a context
 12 as to suggest that the committee is an au-
 13 thorized committee of the candidate or
 14 that the use of the candidate’s name has
 15 been authorized by the candidate.”.

16 **SEC. 306. PROHIBITION OF FALSE REPRESENTATION TO**
 17 **SOLICIT CONTRIBUTIONS.**

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

20 (1) by inserting after “SEC. 322.” the follow-
 21 ing: “(a) IN GENERAL.—”; and

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

23 “(b) SOLICITATION OF CONTRIBUTIONS.—No person
 24 shall solicit contributions by falsely representing himself

1 or herself as a candidate or as a representative of a can-
 2 didate, a political committee, or a political party.”.

3 **SEC. 307. SOFT MONEY OF PERSONS OTHER THAN POLITI-**
 4 **CAL PARTIES.**

5 (a) IN GENERAL.—Section 304 of the Federal Elec-
 6 tion Campaign Act of 1971 (2 U.S.C. 434) (as amended
 7 by section 103(c) and section 203) is amended by adding
 8 at the end the following:

9 “(g) DISBURSEMENTS OF PERSONS OTHER THAN
 10 POLITICAL PARTIES.—

11 “(1) IN GENERAL.—A person, other than a po-
 12 litical committee or a person described in section
 13 501(d) of the Internal Revenue Code of 1986, that
 14 makes an aggregate amount of disbursements in ex-
 15 cess of \$50,000 during a calendar year for activities
 16 described in paragraph (2) shall file a statement
 17 with the Commission—

18 “(A) on a monthly basis as described in
 19 subsection (a)(4)(B); or

20 “(B) in the case of disbursements that are
 21 made within 20 days of an election, within 24
 22 hours after the disbursements are made.

23 “(2) ACTIVITY.—The activity described in this
 24 paragraph is—

25 “(A) Federal election activity;

1 “(B) an activity described in section
2 316(b)(2)(A) that expresses support for or op-
3 position to a candidate for Federal office or a
4 political party; and

5 “(C) an activity described in subparagraph
6 (C) of section 316(b)(2).

7 “(3) APPLICABILITY.—This subsection does not
8 apply to—

9 “(A) a candidate or a candidate’s author-
10 ized committees; or

11 “(B) an independent expenditure.

12 “(4) CONTENTS.—A statement under this sec-
13 tion shall contain such information about the dis-
14 bursements made during the reporting period as the
15 Commission shall prescribe, including—

16 “(A) the aggregate amount of disburse-
17 ments made;

18 “(B) the name and address of the person
19 or entity to whom a disbursement is made in an
20 aggregate amount in excess of \$200;

21 “(C) the date made, amount, and purpose
22 of the disbursement; and

23 “(D) if applicable, whether the disburse-
24 ment was in support of, or in opposition to, a

1 candidate or a political party, and the name of
 2 the candidate or the political party.”.

3 (b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—

4 Section 301 of the Federal Election Campaign Act of
 5 1971 (2 U.S.C. 431 et seq.) (as amended by section
 6 201(b)) is further amended by adding at the end the fol-
 7 lowing:

8 “(21) GENERIC CAMPAIGN ACTIVITY.—The term ‘ge-
 9 neric campaign activity’ means an activity that promotes
 10 a political party and does not promote a candidate or non-
 11 Federal candidate.”.

12 **SEC. 308. CAMPAIGN ADVERTISING.**

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

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph

17 (1)—

18 (i) by striking “Whenever” and insert-
 19 ing “Whenever a political committee makes
 20 a disbursement for the purpose of financ-
 21 ing any communication through any broad-
 22 casting station, newspaper, magazine, out-
 23 door advertising facility, mailing, or any
 24 other type of general public political adver-
 25 tising, or whenever”;

1 (ii) by striking “an expenditure” and
2 inserting “a disbursement”; and

3 (iii) by striking “direct”; and

4 (B) in paragraph (3), by inserting “and
5 permanent street address” after “name”; and

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

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

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

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

13 “(3) be printed with a reasonable degree of
14 color contrast between the background and the
15 printed statement.

16 “(d)(1) Any communication described in paragraphs
17 (1) or (2) of subsection (a) which is transmitted through
18 radio or television shall include, in addition to the require-
19 ments of that paragraph, an audio statement by the can-
20 didate that identifies the candidate and states that the
21 candidate has approved the communication.

22 “(2) If a communication described in paragraph (1)
23 is transmitted through television, the communication shall
24 include, in addition to the audio statement under para-
25 graph (1), a written statement that—

1 “(A) appears at the end of the communication
2 in a clearly readable manner with a reasonable de-
3 gree of color contrast between the background and
4 the printed statement, for a period of at least 4 sec-
5 onds; and

6 “(B) is accompanied by a clearly identifiable
7 photographic or similar image of the candidate.

8 “(e) Any communication described in paragraph (3)
9 of subsection (a) which is transmitted through radio or
10 television shall include, in addition to the requirements of
11 that paragraph, in a clearly spoken manner, the following
12 statement: ‘_____ is responsible for the con-
13 tent of this advertisement.’ (with the blank to be filled in
14 with the name of the political committee or other person
15 paying for the communication and the name of any con-
16 nected organization of the payor). If transmitted through
17 television, the statement shall also appear in a clearly
18 readable manner with a reasonable degree of color con-
19 trast between the background and the printed statement,
20 for a period of at least 4 seconds.”.

1 **TITLE IV—PERSONAL WEALTH**
 2 **OPTION**

3 **SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE**
 4 **LIMIT.**

5 Title III of the Federal Election Campaign Act of
 6 1971 (2 U.S.C. 431 et seq.), as amended by section 101,
 7 is further amended by adding at the end the following new
 8 section:

9 “VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT

10 “SEC. 324. (a) ELIGIBLE CONGRESSIONAL CAN-
 11 DIDATE.—

12 “(1) PRIMARY ELECTION.—

13 “(A) DECLARATION.—A candidate for elec-
 14 tion for Senator or Representative in or Dele-
 15 gate or Resident Commissioner to the Congress
 16 is an eligible primary election Congressional
 17 candidate if the candidate files with the Com-
 18 mission a declaration that the candidate and
 19 the candidate’s authorized committees will not
 20 make expenditures in excess of the personal
 21 funds expenditure limit.

22 “(B) TIME TO FILE.—The declaration
 23 under subparagraph (A) shall be filed not later
 24 than the date on which the candidate files with

1 the appropriate State officer as a candidate for
2 the primary election.

3 “(2) GENERAL ELECTION.—

4 “(A) DECLARATION.—A candidate for elec-
5 tion for Senator or Representative in or Dele-
6 gate or Resident Commissioner to the Congress
7 is an eligible general election Congressional can-
8 didate if the candidate files with the Commis-
9 sion—

10 “(i) a declaration under penalty of
11 perjury, with supporting documentation as
12 required by the Commission, that the can-
13 didate and the candidate’s authorized com-
14 mittees did not exceed the personal funds
15 expenditure limit in connection with the
16 primary election; and

17 “(ii) a declaration that the candidate
18 and the candidate’s authorized committees
19 will not make expenditures in excess of the
20 personal funds expenditure limit.

21 “(B) TIME TO FILE.—The declaration
22 under subparagraph (A) shall be filed not later
23 than 7 days after the earlier of—

1 “(i) the date on which the candidate
2 qualifies for the general election ballot
3 under State law; or

4 “(ii) if under State law, a primary or
5 run-off election to qualify for the general
6 election ballot occurs after September 1,
7 the date on which the candidate wins the
8 primary or runoff election.

9 “(b) PERSONAL FUNDS EXPENDITURE LIMIT.—

10 “(1) IN GENERAL.—The aggregate amount of
11 expenditures that may be made in connection with
12 an election by an eligible Congressional candidate or
13 the candidate’s authorized committees from the
14 sources described in paragraph (2) shall not exceed
15 \$50,000.

16 “(2) SOURCES.—A source is described in this
17 paragraph if the source is—

18 “(A) personal funds of the candidate and
19 members of the candidate’s immediate family;
20 or

21 “(B) proceeds of indebtedness incurred by
22 the candidate or a member of the candidate’s
23 immediate family.

24 “(c) CERTIFICATION BY THE COMMISSION.—

1 “(1) IN GENERAL.—The Commission shall de-
2 termine whether a candidate has met the require-
3 ments of this section and, based on the determina-
4 tion, issue a certification stating whether the can-
5 didate is an eligible Congressional candidate.

6 “(2) TIME FOR CERTIFICATION.—Not later
7 than 7 business days after a candidate files a dec-
8 laration under paragraph (1) or (2) of subsection
9 (a), the Commission shall certify whether the can-
10 didate is an eligible Congressional candidate.

11 “(3) REVOCATION.—The Commission shall re-
12 voke a certification under paragraph (1), based on
13 information submitted in such form and manner as
14 the Commission may require or on information that
15 comes to the Commission by other means, if the
16 Commission determines that a candidate violates the
17 personal funds expenditure limit.

18 “(4) DETERMINATIONS BY COMMISSION.—A de-
19 termination made by the Commission under this
20 subsection shall be final, except to the extent that
21 the determination is subject to examination and
22 audit by the Commission and to judicial review.

23 “(d) PENALTY.—If the Commission revokes the cer-
24 tification of an eligible Congressional candidate—

1 “(1) the Commission shall notify the candidate
2 of the revocation; and

3 “(2) the candidate and a candidate’s authorized
4 committees shall pay to the Commission an amount
5 equal to the amount of expenditures made by a na-
6 tional committee of a political party or a State com-
7 mittee of a political party in connection with the
8 general election campaign of the candidate under
9 section 315(d).”.

10 **SEC. 402. POLITICAL PARTY COMMITTEE COORDINATED**
11 **EXPENDITURES.**

12 Section 315(d) of the Federal Election Campaign Act
13 of 1971 (2 U.S.C. 441a(d)) (as amended by section 204)
14 is amended by adding at the end the following:

15 “(5) This subsection does not apply to expenditures
16 made in connection with the general election campaign of
17 a candidate for Senator or Representative in or Delegate
18 or Resident Commissioner to the Congress who is not an
19 eligible Congressional candidate (as defined in section
20 324(a)).”.

21 **TITLE V—MISCELLANEOUS**

22 **SEC. 501. CODIFICATION OF BECK DECISION.**

23 Section 8 of the National Labor Relations Act (29
24 U.S.C. 158) is amended by adding at the end the following
25 new subsection:

1 “(h) NONUNION MEMBER PAYMENTS TO LABOR OR-
2 GANIZATION.—

3 “(1) IN GENERAL.—It shall be an unfair labor
4 practice for any labor organization which receives a
5 payment from an employee pursuant to an agree-
6 ment that requires employees who are not members
7 of the organization to make payments to such orga-
8 nization in lieu of organization dues or fees not to
9 establish and implement the objection procedure de-
10 scribed in paragraph (2).

11 “(2) OBJECTION PROCEDURE.—The objection
12 procedure required under paragraph (1) shall meet
13 the following requirements:

14 “(A) The labor organization shall annually
15 provide to employees who are covered by such
16 agreement but are not members of the organi-
17 zation—

18 “(i) reasonable personal notice of the
19 objection procedure, the employees eligible
20 to invoke the procedure, and the time,
21 place, and manner for filing an objection;
22 and

23 “(ii) reasonable opportunity to file an
24 objection to paying for organization ex-
25 penditures supporting political activities

1 unrelated to collective bargaining, includ-
2 ing but not limited to the opportunity to
3 file such objection by mail.

4 “(B) If an employee who is not a member
5 of the labor organization files an objection
6 under the procedure in subparagraph (A), such
7 organization shall—

8 “(i) reduce the payments in lieu of or-
9 ganization dues or fees by such employee
10 by an amount which reasonably reflects the
11 ratio that the organization’s expenditures
12 supporting political activities unrelated to
13 collective bargaining bears to such organi-
14 zation’s total expenditures; and

15 “(ii) provide such employee with a
16 reasonable explanation of the organiza-
17 tion’s calculation of such reduction, includ-
18 ing calculating the amount of organization
19 expenditures supporting political activities
20 unrelated to collective bargaining.

21 “(3) DEFINITION.—In this subsection, the term
22 ‘expenditures supporting political activities unrelated
23 to collective bargaining’ means expenditures in con-
24 nection with a Federal, State, or local election or in

1 connection with efforts to influence legislation unre-
2 lated to collective bargaining.”.

3 **SEC. 502. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN**
4 **PURPOSES.**

5 Title III of the Federal Election Campaign Act of
6 1971 (2 U.S.C. 431 et seq.) is amended by striking section
7 313 and inserting the following:

8 “USE OF CONTRIBUTED AMOUNTS FOR CERTAIN
9 PURPOSES

10 “SEC. 313. (a) PERMITTED USES.—A contribution
11 accepted by a candidate, and any other amount received
12 by an individual as support for activities of the individual
13 as a holder of Federal office, may be used by the candidate
14 or individual—

15 “(1) for expenditures in connection with the
16 campaign for Federal office of the candidate or indi-
17 vidual;

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

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

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

26 “(b) PROHIBITED USE.—

1 “(1) IN GENERAL.—A contribution or amount
2 described in subsection (a) shall not be converted by
3 any person to personal use.

4 “(2) CONVERSION.—For the purposes of para-
5 graph (1), a contribution or amount shall be consid-
6 ered to be converted to personal use if the contribu-
7 tion or amount is used to fulfill any commitment,
8 obligation, or expense of a person that would exist
9 irrespective of the candidate’s election campaign or
10 individual’s duties as a holder of Federal office-
11 holder, including—

12 “(A) a home mortgage, rent, or utility pay-
13 ment;

14 “(B) a clothing purchase;

15 “(C) a noncampaign-related automobile ex-
16 pense;

17 “(D) a country club membership;

18 “(E) a vacation or other noncampaign-re-
19 lated trip;

20 “(F) a household food item;

21 “(G) a tuition payment;

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

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

3 **SEC. 503. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**
4 **ING PRIVILEGE.**

5 Section 3210(a)(6) of title 39, United States Code,
6 is amended by striking subparagraph (A) and inserting
7 the following:

8 “(A) A Member of Congress shall not mail
9 any mass mailing as franked mail during the
10 180-day period which ends on the date of the
11 general election for the office held by the Mem-
12 ber or during the 90-day period which ends on
13 the date of any primary election for that office,
14 unless the Member has made a public an-
15 nouncement that the Member will not be a can-
16 didate for reelection during that year or for
17 election to any other Federal office.”.

18 **SEC. 504. PROHIBITION OF FUNDRAISING ON FEDERAL**
19 **PROPERTY.**

20 Section 607 of title 18, United States Code, is
21 amended—

22 (1) by striking subsection (a) and inserting the
23 following:

24 “(a) PROHIBITION.—

1 “(1) IN GENERAL.—It shall be unlawful for any
 2 person to solicit or receive a donation of money or
 3 other thing of value for a political committee or a
 4 candidate for Federal, State or local office from a
 5 person who is located in a room or building occupied
 6 in the discharge of official duties by an officer or
 7 employee of the United States. An individual who is
 8 an officer or employee of the Federal Government,
 9 including the President, Vice President, and Mem-
 10 bers of Congress, shall not solicit a donation of
 11 money or other thing of value for a political commit-
 12 tee or candidate for Federal, State or local office,
 13 while in any room or building occupied in the dis-
 14 charge of official duties by an officer or employee of
 15 the United States, from any person.

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

19 (2) by inserting in subsection (b) after “Con-
 20 gress” “or Executive Office of the President”.

21 **SEC. 505. PENALTIES FOR KNOWING AND WILLFUL VIOLA-**
 22 **TIONS.**

23 (a) INCREASED PENALTIES.—Section 309(a) of the
 24 Federal Election Campaign Act of 1971 (2 U.S.C.
 25 437g(a)) is amended—

1 (1) in paragraphs (5)(A), (6)(A), and (6)(B),
 2 by striking “\$5,000” and inserting “\$10,000”; and
 3 (2) in paragraphs (5)(B) and (6)(C), by strik-
 4 ing “\$10,000 or an amount equal to 200 percent”
 5 and inserting “\$20,000 or an amount equal to 300
 6 percent”.

7 (b) **EQUITABLE REMEDIES.**—Section 309(a)(5)(A) of
 8 the Federal Election Campaign Act of 1971 (2 U.S.C.
 9 437g(a)(5)) is amended by striking the period at the end
 10 and inserting “, and may include equitable remedies or
 11 penalties, including disgorgement of funds to the Treasury
 12 or community service requirements (including require-
 13 ments to participate in public education programs).”.

14 (c) **AUTOMATIC PENALTY FOR LATE FILING.**—Sec-
 15 tion 309(a) of the Federal Election Campaign Act of 1971
 16 (2 U.S.C. 437g(a)) is amended—

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

18 “(13) **PENALTY FOR LATE FILING.**—

19 “(A) **IN GENERAL.**—

20 “(i) **MONETARY PENALTIES.**—The Com-
 21 mission shall establish a schedule of mandatory
 22 monetary penalties that shall be imposed by the
 23 Commission for failure to meet a time require-
 24 ment for filing under section 304.

1 “(ii) REQUIRED FILING.—In addition to
2 imposing a penalty, the Commission may re-
3 quire a report that has not been filed within the
4 time requirements of section 304 to be filed by
5 a specific date.

6 “(iii) PROCEDURE.—A penalty or filing re-
7 quirement imposed under this paragraph shall
8 not be subject to paragraph (1), (2), (3), (4),
9 (5), or (12).

10 “(B) FILING AN EXCEPTION.—

11 “(i) TIME TO FILE.—A political committee
12 shall have 30 days after the imposition of a
13 penalty or filing requirement by the Commis-
14 sion under this paragraph in which to file an
15 exception with the Commission.

16 “(ii) TIME FOR COMMISSION TO RULE.—
17 Within 30 days after receiving an exception, the
18 Commission shall make a determination that is
19 a final agency action subject to exclusive review
20 by the United States Court of Appeals for the
21 District of Columbia Circuit under section 706
22 of title 5, United States Code, upon petition
23 filed in that court by the political committee or
24 treasurer that is the subject of the agency ac-
25 tion, if the petition is filed within 30 days after

1 the date of the Commission action for which re-
 2 view is sought.”;

3 (2) in paragraph (5)(D)—

4 (A) by inserting after the first sentence the
 5 following: “In any case in which a penalty or
 6 filing requirement imposed on a political com-
 7 mittee or treasurer under paragraph (13) has
 8 not been satisfied, the Commission may insti-
 9 tute a civil action for enforcement under para-
 10 graph (6)(A).”; and

11 (B) by inserting before the period at the
 12 end of the last sentence the following: “or has
 13 failed to pay a penalty or meet a filing require-
 14 ment imposed under paragraph (13)”; and

15 (3) in paragraph (6)(A), by striking “paragraph
 16 (4)(A)” and inserting “paragraph (4)(A) or (13)”.

17 **SEC. 506. BAN ON CAMPAIGN CONTRIBUTIONS BY NONCITI-**
 18 **ZENS.**

19 (a) IN GENERAL.—Section 319 of the Federal Elec-
 20 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended
 21 to read as follows:

22 “CONTRIBUTIONS AND DONATIONS BY NONCITIZENS

23 “SEC. 319. (a) PROHIBITION.—It shall be unlawful
 24 for—

25 “(1) a noncitizen, directly or indirectly, to
 26 make—

1 “(A) a donation of money or other thing of
 2 value, or to promise expressly or impliedly to
 3 make a donation, in connection with a Federal,
 4 State, or local election to a political committee
 5 or a candidate for Federal office; or

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

8 “(2) a person to solicit, accept, or receive a con-
 9 tribution or donation described in paragraph (1)
 10 from a noncitizen.

11 “(b) TREATMENT OF NATIONALS OF THE UNITED
 12 STATES.—For purposes of subsection (a), a ‘noncitizen’
 13 of the United States does not include a national of the
 14 United States (as defined in section 101(a)(22) of the Im-
 15 migration and Nationality Act).”.

16 (b) PROHIBITING USE OF WILLFUL BLINDNESS AS
 17 DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN
 18 CONTRIBUTION BAN.—

19 (1) IN GENERAL.—Section 319 of the Federal
 20 Election Campaign Act of 1971 (2 U.S.C. 441e) is
 21 amended—

22 (A) by redesignating subsection (b) as sub-
 23 section (c); and

24 (B) by inserting after subsection (a) the
 25 following new subsection:

1 “(b) It shall not be a defense to a violation of sub-
 2 section (a) that the defendant did not know that the con-
 3 tribution originated from a foreign national if the defend-
 4 ant should have known that the contribution originated
 5 from a foreign national, except that the trier of fact may
 6 not find that the defendant should have known that the
 7 contribution originated from a foreign national solely be-
 8 cause of the name of the contributor.”.

9 (2) EFFECTIVE DATE.—The amendments made
 10 by this subsection shall apply with respect to viola-
 11 tions occurring on or after the date of the enactment
 12 of this Act.

13 **SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.**

14 Title III of the Federal Election Campaign Act of
 15 1971 (2 U.S.C. 431 et seq.), as amended by sections 101
 16 and 401, is further amended by adding at the end the
 17 following new section:

18 “PROHIBITION OF CONTRIBUTIONS BY MINORS

19 “SEC. 325. An individual who is 17 years old or
 20 younger shall not make a contribution to a candidate or
 21 a contribution or donation to a committee of a political
 22 party.”.

23 **SEC. 508. EXPEDITED PROCEDURES.**

24 (a) IN GENERAL.—Section 309(a) of the Federal
 25 Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as

1 amended by section 505(c)) is amended by adding at the
2 end the following:

3 “(14)(A) If the complaint in a proceeding was filed
4 within 60 days preceding the date of a general election,
5 the Commission may take action described in this sub-
6 paragraph.

7 “(B) If the Commission determines, on the basis of
8 facts alleged in the complaint and other facts available to
9 the Commission, that there is clear and convincing evi-
10 dence that a violation of this Act has occurred, is occur-
11 ring, or is about to occur, the Commission may order expe-
12 dited proceedings, shortening the time periods for proceed-
13 ings under paragraphs (1), (2), (3), and (4) as necessary
14 to allow the matter to be resolved in sufficient time before
15 the election to avoid harm or prejudice to the interests
16 of the parties.

17 “(C) If the Commission determines, on the basis of
18 facts alleged in the complaint and other facts available to
19 the Commission, that the complaint is clearly without
20 merit, the Commission may—

21 “(i) order expedited proceedings, shortening the
22 time periods for proceedings under paragraphs (1),
23 (2), (3), and (4) as necessary to allow the matter to
24 be resolved in sufficient time before the election to

1 avoid harm or prejudice to the interests of the par-
 2 ties; or

3 “(ii) if the Commission determines that there is
 4 insufficient time to conduct proceedings before the
 5 election, summarily dismiss the complaint.”.

6 (b) REFERRAL TO ATTORNEY GENERAL.—Section
 7 309(a)(5) of the Federal Election Campaign Act of 1971
 8 (2 U.S.C. 437g(a)(5)) is amended by striking subpara-
 9 graph (C) and inserting the following:

10 “(C) The Commission may at any time, by an affirm-
 11 ative vote of at least 4 of its members, refer a possible
 12 violation of this Act or chapter 95 or 96 of the Internal
 13 Revenue Code of 1986, to the Attorney General of the
 14 United States, without regard to any limitation set forth
 15 in this section.”.

16 **SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.**

17 Section 309(a)(2) of the Federal Election Campaign
 18 Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking
 19 “reason to believe that” and inserting “reason to inves-
 20 tigate whether”.

21 **SEC. 510. PROTECTING EQUAL PARTICIPATION OF ELIGI-**
 22 **BLE VOTERS IN CAMPAIGNS AND ELECTIONS.**

23 Title III of the Federal Election Campaign Act of
 24 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,

1 401, and 507, is further amended by adding at the end
 2 the following new section:

3 “PROTECTING EQUAL PARTICIPATION OF ELIGIBLE
 4 VOTERS IN CAMPAIGNS AND ELECTIONS

5 “SEC. 326. (a) IN GENERAL.—Nothing in this Act
 6 may be construed to prohibit any individual eligible to vote
 7 in an election for Federal office from making contributions
 8 or expenditures in support of a candidate for such an elec-
 9 tion (including voluntary contributions or expenditures
 10 made through a separate segregated fund established by
 11 the individual’s employer or labor organization) or other-
 12 wise participating in any campaign for such an election
 13 in the same manner and to the same extent as any other
 14 individual eligible to vote in an election for such office.

15 “(b) NO EFFECT ON GEOGRAPHIC RESTRICTIONS ON
 16 CONTRIBUTIONS.—Subsection (a) may not be construed
 17 to affect any restriction under this title regarding the por-
 18 tion of contributions accepted by a candidate from persons
 19 residing in a particular geographic area.”.

20 **SEC. 511. PROHIBITING NONCITIZEN INDIVIDUALS FROM**
 21 **MAKING CONTRIBUTIONS IN CONNECTION**
 22 **WITH FEDERAL ELECTIONS.**

23 (a) PROHIBITION APPLICABLE TO ALL INDIVIDUALS
 24 WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED
 25 STATES.—Section 319(b)(2) of the Federal Election Cam-
 26 paign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by

1 striking “and who is not lawfully admitted” and all that
 2 follows and inserting the following: “or a national of the
 3 United States (as defined in section 101(a)(22) of the Im-
 4 migration and Nationality Act).”.

5 (b) EFFECTIVE DATE.—The amendment made by
 6 subsection (a) shall apply with respect to contributions or
 7 expenditures made on or after the date of the enactment
 8 of this Act.

9 **SEC. 512. PENALTY FOR VIOLATION OF PROHIBITION**
 10 **AGAINST FOREIGN CONTRIBUTIONS.**

11 (a) IN GENERAL.—Section 319 of the Federal Elec-
 12 tion Campaign Act of 1971 (2 U.S.C. 441e) is amended—

13 (1) by redesignating subsection (b) as sub-
 14 section (c); and

15 (2) by inserting after subsection (a) the follow-
 16 ing new subsection:

17 “(b)(1) Except as provided in paragraph (2), notwith-
 18 standing any other provision of this title any person who
 19 violates subsection (a) shall be sentenced to a term of im-
 20 prisonment which may not be more than 10 years, fined
 21 in an amount not to exceed \$1,000,000, or both.

22 “(2) Paragraph (1) shall not apply with respect to
 23 any violation of subsection (a) arising from a contribution
 24 or donation made by an individual who is lawfully admit-

1 ted for permanent residence (as defined in section
2 101(a)(22) of the Immigration and Nationality Act).”.

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

6 **SEC. 513. EXPEDITED COURT REVIEW OF CERTAIN AL-**
7 **LEGED VIOLATIONS OF FEDERAL ELECTION**
8 **CAMPAIGN ACT OF 1971.**

9 (a) IN GENERAL.—Section 309 of the Federal Elec-
10 tion Campaign Act of 1971 (2 U.S.C. 437g) is amended—

11 (1) by redesignating subsection (d) as sub-
12 section (e); and

13 (2) by inserting after subsection (c) the follow-
14 ing new subsection:

15 “(d) Notwithstanding any other provision of this sec-
16 tion, if a candidate (or the candidate’s authorized commit-
17 tee) believes that a violation described in paragraph (2)
18 has been committed with respect to an election during the
19 90-day period preceding the date of the election, the can-
20 didate or committee may institute a civil action on behalf
21 of the Commission for relief (including injunctive relief)
22 against the alleged violator in the same manner and under
23 the same terms and conditions as an action instituted by
24 the Commission under subsection (a)(6), except that the
25 court involved shall issue a decision regarding the action

1 as soon as practicable after the action is instituted and
 2 to the greatest extent possible issue the decision prior to
 3 the date of the election involved.

4 “(2) A violation described in this paragraph is a vio-
 5 lation of this Act or of chapter 95 or chapter 96 of the
 6 Internal Revenue Code of 1986 relating to—

7 “(A) whether a contribution is in excess of an
 8 applicable limit or is otherwise prohibited under this
 9 Act; or

10 “(B) whether an expenditure is an independent
 11 expenditure under section 301(17).”.

12 (b) EFFECTIVE DATE.—The amendments made by
 13 this section shall apply with respect to elections occurring
 14 after the date of the enactment of this Act.

15 **SEC. 514. CONSPIRACY TO VIOLATE PRESIDENTIAL CAM-**
 16 **PAIGN SPENDING LIMITS.**

17 (a) IN GENERAL.—Section 9003 of the Internal Rev-
 18 enue Code of 1986 (26 U.S.C. 9003) is amended by add-
 19 ing at the end the following new subsection:

20 “(g) PROHIBITING CONSPIRACY TO VIOLATE LIM-
 21 ITS.—

22 “(1) VIOLATION OF LIMITS DESCRIBED.—If a
 23 candidate for election to the office of President or
 24 Vice President who receives amounts from the Presi-
 25 dential Election Campaign Fund under chapter 95

1 or 96 of the Internal Revenue Code of 1986, or the
 2 agent of such a candidate, seeks to avoid the spend-
 3 ing limits applicable to the candidate under such
 4 chapter or under the Federal Election Campaign Act
 5 of 1971 by soliciting, receiving, transferring, or di-
 6 recting funds from any source other than such Fund
 7 for the direct or indirect benefit of such candidate's
 8 campaign, such candidate or agent shall be fined not
 9 more than \$1,000,000, or imprisoned for a term of
 10 not more than 3 years, or both.

11 “(2) CONSPIRACY TO VIOLATE LIMITS DE-
 12 FINED.—If two or more persons conspire to violate
 13 paragraph (1), and one or more of such persons do
 14 any act to effect the object of the conspiracy, each
 15 shall be fined not more than \$1,000,000, or impris-
 16 oned for a term of not more than 3 years, or both.”.

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

20 **SEC. 515. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DO-**
 21 **NATIONS IN TREASURY ACCOUNT.**

22 (a) IN GENERAL.—Title III of the Federal Election
 23 Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended
 24 by sections 101, 401, 507, and 510, is further amended
 25 by adding at the end the following new section:

1 “TREATMENT OF CERTAIN CONTRIBUTIONS AND
2 DONATIONS TO BE RETURNED TO DONORS

3 “SEC. 327. (a) TRANSFER TO COMMISSION.—

4 “(1) IN GENERAL.—Notwithstanding any other
5 provision of this Act, if a political committee intends
6 to return any contribution or donation given to the
7 political committee, the committee shall transfer the
8 contribution or donation to the Commission if—

9 “(A) the contribution or donation is in an
10 amount equal to or greater than \$500 (other
11 than a contribution or donation returned within
12 60 days of receipt by the committee); or

13 “(B) the contribution or donation was
14 made in violation of section 315, 316, 317, 319,
15 320, or 325 (other than a contribution or dona-
16 tion returned within 30 days of receipt by the
17 committee).

18 “(2) INFORMATION INCLUDED WITH TRANS-
19 FERRED CONTRIBUTION OR DONATION.—A political
20 committee shall include with any contribution or do-
21 nation transferred under paragraph (1)—

22 “(A) a request that the Commission return
23 the contribution or donation to the person mak-
24 ing the contribution or donation; and

1 “(B) information regarding the cir-
2 cumstances surrounding the making of the con-
3 tribution or donation and any opinion of the po-
4 litical committee concerning whether the con-
5 tribution or donation may have been made in
6 violation of this Act.

7 “(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

8 “(A) IN GENERAL.—The Commission shall
9 establish a single interest-bearing escrow ac-
10 count for deposit of amounts transferred under
11 paragraph (1).

12 “(B) DISPOSITION OF AMOUNTS RE-
13 CEIVED.—On receiving an amount from a polit-
14 ical committee under paragraph (1), the Com-
15 mission shall—

16 “(i) deposit the amount in the escrow
17 account established under subparagraph
18 (A); and

19 “(ii) notify the Attorney General and
20 the Commissioner of the Internal Revenue
21 Service of the receipt of the amount from
22 the political committee.

23 “(C) USE OF INTEREST.—Interest earned
24 on amounts in the escrow account established
25 under subparagraph (A) shall be applied or

1 used for the same purposes as the donation or
2 contribution on which it is earned.

3 “(4) TREATMENT OF RETURNED CONTRIBU-
4 TION OR DONATION AS A COMPLAINT.—The transfer
5 of any contribution or donation to the Commission
6 under this section shall be treated as the filing of a
7 complaint under section 309(a).

8 “(b) USE OF AMOUNTS PLACED IN ESCROW TO
9 COVER FINES AND PENALTIES.—The Commission or the
10 Attorney General may require any amount deposited in
11 the escrow account under subsection (a)(3) to be applied
12 toward the payment of any fine or penalty imposed under
13 this Act or title 18, United States Code, against the per-
14 son making the contribution or donation.

15 “(c) RETURN OF CONTRIBUTION OR DONATION
16 AFTER DEPOSIT IN ESCROW.—

17 “(1) IN GENERAL.—The Commission shall re-
18 turn a contribution or donation deposited in the es-
19 crow account under subsection (a)(3) to the person
20 making the contribution or donation if—

21 “(A) within 180 days after the date the
22 contribution or donation is transferred, the
23 Commission has not made a determination
24 under section 309(a)(2) that the Commission
25 has reason to investigate whether that the mak-

1 ing of the contribution or donation was made in
2 violation of this Act; or

3 “(B)(i) the contribution or donation will
4 not be used to cover fines, penalties, or costs
5 pursuant to subsection (b); or

6 “(ii) if the contribution or donation will be
7 used for those purposes, that the amounts re-
8 quired for those purposes have been withdrawn
9 from the escrow account and subtracted from
10 the returnable contribution or donation.

11 “(2) NO EFFECT ON STATUS OF INVESTIGA-
12 TION.—The return of a contribution or donation by
13 the Commission under this subsection shall not be
14 construed as having an effect on the status of an in-
15 vestigation by the Commission or the Attorney Gen-
16 eral of the contribution or donation or the cir-
17 cumstances surrounding the contribution or dona-
18 tion, or on the ability of the Commission or the At-
19 torney General to take future actions with respect to
20 the contribution or donation.”.

21 (b) AMOUNTS USED TO DETERMINE AMOUNT OF
22 PENALTY FOR VIOLATION.—Section 309(a) of such Act
23 (2 U.S.C. 437g(a)) is amended by inserting after para-
24 graph (9) the following new paragraph:

1 “(10) For purposes of determining the amount of a
2 civil penalty imposed under this subsection for violations
3 of section 326, the amount of the donation involved shall
4 be treated as the amount of the contribution involved.”.

5 (c) DONATION DEFINED.—Section 301 of such Act
6 (2 U.S.C. 431), as amended by sections 201(b) and
7 307(b), is further amended by adding at the end the fol-
8 lowing:

9 “(22) DONATION.—The term ‘donation’ means a gift,
10 subscription, loan, advance, or deposit of money or any-
11 thing else of value made by any person to a national com-
12 mittee of a political party or a Senatorial or Congressional
13 Campaign Committee of a national political party for any
14 purpose, but does not include a contribution (as defined
15 in paragraph (8)).”.

16 (d) DISGORGEMENT AUTHORITY.—Section 309 of
17 such Act (2 U.S.C. 437g) is amended by adding at the
18 end the following new subsection:

19 “(e) Any conciliation agreement, civil action, or crimi-
20 nal action entered into or instituted under this section
21 may require a person to forfeit to the Treasury any con-
22 tribution, donation, or expenditure that is the subject of
23 the agreement or action for transfer to the Commission
24 for deposit in accordance with section 326.”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 subsections (a), (b), and (c) shall apply to contributions
3 or donations refunded on or after the date of the enact-
4 ment of this Act, without regard to whether the Federal
5 Election Commission or Attorney General has issued regu-
6 lations to carry out section 326 of the Federal Election
7 Campaign Act of 1971 (as added by subsection (a)) by
8 such date.

9 **SEC. 516. ESTABLISHMENT OF A CLEARINGHOUSE OF IN-**
10 **FORMATION ON POLITICAL ACTIVITIES WITH-**
11 **IN THE FEDERAL ELECTION COMMISSION.**

12 (a) ESTABLISHMENT.—There shall be established
13 within the Federal Election Commission a clearinghouse
14 of public information regarding the political activities of
15 foreign principals and agents of foreign principals. The in-
16 formation comprising this clearinghouse shall include only
17 the following:

18 (1) All registrations and reports filed pursuant
19 to the Lobbying Disclosure Act of 1995 (2 U.S.C.
20 1601 et seq.) during the preceding 5-year period.

21 (2) All registrations and reports filed pursuant
22 to the Foreign Agents Registration Act, as amended
23 (22 U.S.C. 611 et seq.), during the preceding 5-year
24 period.

1 (3) The listings of public hearings, hearing wit-
2 nesses, and witness affiliations printed in the Con-
3 gressional Record during the preceding 5-year pe-
4 riod.

5 (4) Public information disclosed pursuant to the
6 rules of the Senate or the House of Representatives
7 regarding honoraria, the receipt of gifts, travel, and
8 earned and unearned income.

9 (5) All reports filed pursuant to title I of the
10 Ethics in Government Act of 1978 (5 U.S.C. App.)
11 during the preceding 5-year period.

12 (6) All public information filed with the Federal
13 Election Commission pursuant to the Federal Elec-
14 tion Campaign Act of 1971 (2 U.S.C. 431 et seq.)
15 during the preceding 5-year period.

16 (b) DISCLOSURE OF OTHER INFORMATION PROHIB-
17 ITED.—The disclosure by the clearinghouse, or any officer
18 or employee thereof, of any information other than that
19 set forth in subsection (a) is prohibited, except as other-
20 wise provided by law.

21 (c) DIRECTOR OF CLEARINGHOUSE.—

22 (1) DUTIES.—The clearinghouse shall have a
23 Director, who shall administer and manage the re-
24 sponsibilities and all activities of the clearinghouse.

25 In carrying out such duties, the Director shall—

1 (A) develop a filing, coding, and cross-in-
2 dexing system to carry out the purposes of this
3 section (which shall include an index of all per-
4 sons identified in the reports, registrations, and
5 other information comprising the clearing-
6 house);

7 (B) notwithstanding any other provision of
8 law, make copies of registrations, reports, and
9 other information comprising the clearinghouse
10 available for public inspection and copying, be-
11 ginning not later than 30 days after the infor-
12 mation is first available to the public, and per-
13 mit copying of any such registration, report, or
14 other information by hand or by copying ma-
15 chine or, at the request of any person, furnish
16 a copy of any such registration, report, or other
17 information upon payment of the cost of mak-
18 ing and furnishing such copy, except that no in-
19 formation contained in such registration or re-
20 port and no such other information shall be
21 sold or used by any person for the purpose of
22 soliciting contributions or for any profit-making
23 purpose; and

24 (C) not later than 150 days after the date
25 of the enactment of this Act and at any time

1 thereafter, to prescribe, in consultation with the
2 Comptroller General, such rules, regulations,
3 and forms, in conformity with the provisions of
4 chapter 5 of title 5, United States Code, as are
5 necessary to carry out the provisions of this
6 section in the most effective and efficient man-
7 ner.

8 (2) APPOINTMENT.—The Director shall be ap-
9 pointed by the Federal Election Commission.

10 (3) TERM OF SERVICE.—The Director shall
11 serve a single term of a period of time determined
12 by the Commission, but not to exceed 5 years.

13 (d) PENALTIES FOR DISCLOSURE OF INFORMA-
14 TION.—Any person who discloses information in violation
15 of subsection (b), and any person who sells or uses infor-
16 mation for the purpose of soliciting contributions or for
17 any profit-making purpose in violation of subsection
18 (c)(1)(B), shall be imprisoned for a period of not more
19 than 1 year, or fined in the amount provided in title 18,
20 United States Code, or both.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated such sums as may be
23 necessary to conduct the activities of the clearinghouse.

24 (f) FOREIGN PRINCIPAL.—Foreign principal shall
25 have the same meaning given the term “foreign national”

1 in section 441e of title 2, United States Code, as that term
2 was defined on July 31, 1998.

3 **SEC. 517. PERMITTING PERMANENT RESIDENT ALIENS**
4 **SERVING IN ARMED FORCES TO MAKE CON-**
5 **TRIBUTIONS.**

6 Section 319 of the Federal Election Campaign Act
7 of 1971 (2 U.S.C. 441e) is amended by adding at the end
8 the following new subsection:

9 “(c) Notwithstanding any other provision of this title,
10 an individual who is lawfully admitted for permanent resi-
11 dence (as defined in section 101(a)(20) of the Immigration
12 and Nationality Act) and who is a member of the Armed
13 Forces (including a reserve component of the Armed
14 Forces) shall not be subject to the prohibition under this
15 section.”.

16 **SEC. 518. ENFORCEMENT OF SPENDING LIMIT ON PRESI-**
17 **DENTIAL AND VICE PRESIDENTIAL CAN-**
18 **DIDATES WHO RECEIVE PUBLIC FINANCING.**

19 (a) IN GENERAL.—Section 9003 of the Internal Rev-
20 enue Code of 1986 (26 U.S.C. 9003) is amended by add-
21 ing at the end the following new subsection:

22 “(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No
23 candidate for election to the office of President or Vice
24 President may receive amounts from the Presidential
25 Election Campaign Fund under this chapter or chapter

1 96 unless the candidate certifies that the candidate shall
 2 not solicit any funds for the purposes of influencing such
 3 election, including any funds used for an independent ex-
 4 penditure under the Federal Election Campaign Act of
 5 1971, unless the funds are subject to the limitations, pro-
 6 hibitions, and reporting requirements of the Federal Elec-
 7 tion Campaign Act of 1971.”.

8 (b) EFFECTIVE DATE.—The amendment made by
 9 this section shall apply with respect to elections occurring
 10 on or after the date of the enactment of this Act.

11 **TITLE VI—SEVERABILITY; CON-**
 12 **STITUTIONALITY; EFFECTIVE**
 13 **DATE; REGULATIONS**

14 **SEC. 601. SEVERABILITY.**

15 If any provision of this Act or amendment made by
 16 this Act, or the application of a provision or amendment
 17 to any person or circumstance, is held to be unconstitu-
 18 tional, the remainder of this Act and amendments made
 19 by this Act, and the application of the provisions and
 20 amendment to any person or circumstance, shall not be
 21 affected by the holding.

22 **SEC. 602. REVIEW OF CONSTITUTIONAL ISSUES.**

23 An appeal may be taken directly to the Supreme
 24 Court of the United States from any final judgment, de-
 25 cree, or order issued by any court ruling on the constitu-

1 tionality of any provision of this Act or amendment made
2 by this Act.

3 **SEC. 603. EFFECTIVE DATE.**

4 Except as otherwise provided in this Act, this Act and
5 the amendments made by this Act take effect January 1,
6 1999.

7 **SEC. 604. REGULATIONS.**

8 The Federal Election Commission shall prescribe any
9 regulations required to carry out this Act and the amend-
10 ments made by this Act not later than 180 days after the
11 date of the enactment of this Act.

12 **TITLE VII—INDEPENDENT COM-**
13 **MISSION ON CAMPAIGN FI-**
14 **NANCE REFORM**

15 **SEC. 701. ESTABLISHMENT AND PURPOSE OF COMMISSION.**

16 There is established a commission to be known as the
17 “Independent Commission on Campaign Finance Reform”
18 (referred to in this title as the “Commission”). The pur-
19 poses of the Commission are to study the laws relating
20 to the financing of political activity and to report and rec-
21 ommend legislation to reform those laws.

22 **SEC. 702. MEMBERSHIP OF COMMISSION.**

23 (a) COMPOSITION.—The Commission shall be com-
24 posed of 12 members appointed within 15 days after the
25 date of the enactment of this Act by the President from

1 among individuals who are not incumbent Members of
2 Congress and who are specially qualified to serve on the
3 Commission by reason of education, training, or experi-
4 ence.

5 (b) APPOINTMENT.—

6 (1) IN GENERAL.—Members shall be appointed
7 as follows:

8 (A) Three members (one of whom shall be
9 a political independent) shall be appointed from
10 among a list of nominees submitted by the
11 Speaker of the House of Representatives.

12 (B) Three members (one of whom shall be
13 a political independent) shall be appointed from
14 among a list of nominees submitted by the ma-
15 jority leader of the Senate.

16 (C) Three members (one of whom shall be
17 a political independent) shall be appointed from
18 among a list of nominees submitted by the mi-
19 nority leader of the House of Representatives.

20 (D) Three members (one of whom shall be
21 a political independent) shall be appointed from
22 among a list of nominees submitted by the mi-
23 nority leader of the Senate.

24 (2) FAILURE TO SUBMIT LIST OF NOMINEES.—

25 If an official described in any of the subparagraphs

1 of paragraph (1) fails to submit a list of nominees
2 to the President during the 15-day period which be-
3 gins on the date of the enactment of this Act—

4 (A) such subparagraph shall no longer
5 apply; and

6 (B) the President shall appoint three mem-
7 bers (one of whom shall be a political independ-
8 ent) who meet the requirements described in
9 subsection (a) and such other criteria as the
10 President may apply.

11 (3) POLITICAL INDEPENDENT DEFINED.—In
12 this subsection, the term “political independent”
13 means an individual who at no time after January
14 1992—

15 (A) has held elective office as a member of
16 the Democratic or Republican party;

17 (B) has received any wages or salary from
18 the Democratic or Republican party or from a
19 Democratic or Republican party office-holder or
20 candidate; or

21 (C) has provided substantial volunteer
22 services or made any substantial contribution to
23 the Democratic or Republican party or to a
24 Democratic or Republican party office-holder or
25 candidate.

1 (c) CHAIRMAN.—At the time of the appointment, the
2 President shall designate one member of the Commission
3 as Chairman of the Commission.

4 (d) TERMS.—The members of the Commission shall
5 serve for the life of the Commission.

6 (e) VACANCIES.—A vacancy in the Commission shall
7 be filled in the manner in which the original appointment
8 was made.

9 (f) POLITICAL AFFILIATION.—Not more than four
10 members of the Commission may be of the same political
11 party.

12 **SEC. 703. POWERS OF COMMISSION.**

13 (a) HEARINGS.—The Commission may, for the pur-
14 pose of carrying out this title, hold hearings, sit and act
15 at times and places, take testimony, and receive evidence
16 as the Commission considers appropriate. In carrying out
17 the preceding sentence, the Commission shall ensure that
18 a substantial number of its meetings are open meetings,
19 with significant opportunities for testimony from members
20 of the general public.

21 (b) QUORUM.—Seven members of the Commission
22 shall constitute a quorum, but a lesser number may hold
23 hearings. The approval of at least nine members of the
24 Commission is required when approving all or a portion
25 of the recommended legislation. Any member of the Com-

1 mission may, if authorized by the Commission, take any
2 action which the Commission is authorized to take under
3 this section.

4 **SEC. 704. ADMINISTRATIVE PROVISIONS.**

5 (a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1)
6 Each member of the Commission shall be paid at a rate
7 equal to the daily equivalent of the annual rate of basic
8 pay payable for level IV of the Executive Schedule under
9 section 5315 of title 5, United States Code, for each day
10 (including travel time) during which the member is en-
11 gaged in the actual performance of duties vested in the
12 Commission.

13 (2) Members of the Commission shall receive travel
14 expenses, including per diem in lieu of subsistence, in ac-
15 cordance with sections 5702 and 5703 of title 5, United
16 States Code.

17 (b) STAFF DIRECTOR.—The Commission shall, with-
18 out regard to section 5311(b) of title 5, United States
19 Code, appoint a staff director, who shall be paid at the
20 rate of basic pay payable for level IV of the Executive
21 Schedule under section 5315 of title 5, United States
22 Code.

23 (c) STAFF OF COMMISSION; SERVICES.—

24 (1) IN GENERAL.—With the approval of the
25 Commission, the staff director of the Commission

1 may appoint and fix the pay of additional personnel.
2 The Director may make such appointments without
3 regard to the provisions of title 5, United States
4 Code, governing appointments in the competitive
5 service, and any personnel so appointed may be paid
6 without regard to the provisions of chapter 51 and
7 subchapter III of chapter 53 of that title relating to
8 classification and General Schedule pay rates, except
9 that an individual so appointed may not receive pay
10 in excess of the maximum annual rate of basic pay
11 payable for grade GS-15 of the General Schedule
12 under section 5332 of title 5, United States Code.

13 (2) EXPERTS AND CONSULTANTS.—The Com-
14 mission may procure by contract the temporary or
15 intermittent services of experts or consultants pursu-
16 ant to section 3109 of title 5, United States Code.

17 **SEC. 705. REPORT AND RECOMMENDED LEGISLATION.**

18 (a) REPORT.—Not later than the expiration of the
19 180-day period which begins on the date on which the sec-
20 ond session of the One Hundred Fifth Congress adjourns
21 sine die, the Commission shall submit to the President,
22 the Speaker and minority leader of the House of Rep-
23 resentatives, and the majority and minority leaders of the
24 Senate a report of the activities of the Commission.

1 (b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—

2 The report under subsection (a) shall include any rec-
3 ommendations for changes in the laws (including regula-
4 tions) governing the financing of political activity (taking
5 into account the provisions of this Act and the amend-
6 ments made by this Act), including any changes in the
7 rules of the Senate or the House of Representatives, to
8 which nine or more members of the Commission may
9 agree, together with drafts of—

10 (1) any legislation (including technical and con-
11 forming provisions) recommended by the Commis-
12 sion to implement such recommendations; and

13 (2) any proposed amendment to the Constitu-
14 tion recommended by the Commission as necessary
15 to implement such recommendations, except that if
16 the Commission includes such a proposed amend-
17 ment in its report, it shall also include recommenda-
18 tions (and drafts) for legislation which may be im-
19 plemented prior to the adoption of such proposed
20 amendment.

21 (c) GOALS OF RECOMMENDATIONS AND LEGISLA-
22 TION.—In making recommendations and preparing drafts
23 of legislation under this section, the Commission shall con-
24 sider the following to be its primary goals:

1 (1) Encouraging fair and open Federal elections
2 which provide voters with meaningful information
3 about candidates and issues.

4 (2) Eliminating the disproportionate influence
5 of special interest financing of Federal elections.

6 (3) Creating a more equitable electoral system
7 for challengers and incumbents.

8 **SEC. 706. EXPEDITED CONGRESSIONAL CONSIDERATION**
9 **OF LEGISLATION.**

10 (a) IN GENERAL.—If any legislation is introduced the
11 substance of which implements a recommendation of the
12 Commission submitted under section 705(b) (including a
13 joint resolution proposing an amendment to the Constitu-
14 tion), subject to subsection (b), the provisions of section
15 2908 (other than subsection (a)) of the Defense Base Clo-
16 sure and Realignment Act of 1990 shall apply to the con-
17 sideration of the legislation in the same manner as such
18 provisions apply to a joint resolution described in section
19 2908(a) of such Act.

20 (b) SPECIAL RULES.—For purposes of applying sub-
21 section (a) with respect to such provisions, the following
22 rules shall apply:

23 (1) Any reference to the Committee on Armed
24 Services of the House of Representatives shall be
25 deemed a reference to the Committee on House

1 Oversight of the House of Representatives and any
2 reference to the Committee on Armed Services of the
3 Senate shall be deemed a reference to the Committee
4 on Rules and Administration of the Senate.

5 (2) Any reference to the date on which the
6 President transmits a report shall be deemed a ref-
7 erence to the date on which the recommendation in-
8 volved is submitted under section 705(b).

9 (3) Notwithstanding subsection (d)(2) of sec-
10 tion 2908 of such Act—

11 (A) debate on the legislation in the House
12 of Representatives, and on all debatable mo-
13 tions and appeals in connection with the legisla-
14 tion, shall be limited to not more than 10
15 hours, divided equally between those favoring
16 and those opposing the legislation;

17 (B) debate on the legislation in the Senate,
18 and on all debatable motions and appeals in
19 connection with the legislation, shall be limited
20 to not more than 10 hours, divided equally be-
21 tween those favoring and those opposing the
22 legislation; and

23 (C) debate in the Senate on any single de-
24 batable motion and appeal in connection with
25 the legislation shall be limited to not more than

1 1 hour, divided equally between the mover and
2 the manager of the bill (except that in the event
3 the manager of the bill is in favor of any such
4 motion or appeal, the time in opposition thereto
5 shall be controlled by the minority leader or his
6 designee), and the majority and minority leader
7 may each allot additional time from time under
8 such leader's control to any Senator during the
9 consideration of any debatable motion or ap-
10 peal.

11 **SEC. 707. TERMINATION.**

12 The Commission shall cease to exist 90 days after
13 the date of the submission of its report under section 705.

14 **SEC. 708. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to the Com-
16 mission such sums as are necessary to carry out its duties
17 under this title.

1 **TITLE VIII—PROHIBITING USE**
2 **OF WHITE HOUSE MEALS AND**
3 **ACCOMMODATIONS FOR PO-**
4 **LITICAL FUNDRAISING**

5 **SEC. 801. PROHIBITING USE OF WHITE HOUSE MEALS AND**
6 **ACCOMMODATIONS FOR POLITICAL FUND-**
7 **RAISING.**

8 (a) IN GENERAL.—Chapter 29 of title 18, United
9 States Code, is amended by adding at the end the follow-
10 ing new section:

11 **“§ 612. Prohibiting use of meals and accommodations**
12 **at White House for political fundraising**

13 “(a) It shall be unlawful for any person to provide
14 or offer to provide any meals or accommodations at the
15 White House in exchange for any money or other thing
16 of value, or as a reward for the provision of any money
17 or other thing of value, in support of any political party
18 or the campaign for electoral office of any candidate.

19 “(b) Any person who violates this section shall be
20 fined under this title or imprisoned not more than three
21 years, or both.

22 “(c) For purposes of this section, any official resi-
23 dence or retreat of the President (including private resi-
24 dential areas and the grounds of such a residence or re-
25 treat) shall be treated as part of the White House.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 for chapter 29 of title 18, United States Code, is amended
 3 by adding at the end the following new item:

“612. Prohibiting use of meals and accommodations at White House for political fundraising.”.

4 **TITLE IX—SENSE OF THE CON-**
 5 **GRESS REGARDING FUND-**
 6 **RAISING ON FEDERAL GOV-**
 7 **ERNMENT PROPERTY**

8 **SEC. 901. SENSE OF THE CONGRESS REGARDING APPLICA-**
 9 **BILITY OF CONTROLLING LEGAL AUTHORITY**
 10 **TO FUNDRAISING ON FEDERAL GOVERN-**
 11 **MENT PROPERTY.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) On March 2, 1997, the Washington Post re-
 14 ported that Vice President Gore “played the central
 15 role in soliciting millions of dollars in campaign
 16 money for the Democratic Party during the 1996
 17 election” and that he was known as the administra-
 18 tion’s “solicitor-in-chief”.

19 (2) The next day, Vice President Gore held a
 20 nationally televised press conference in which he ad-
 21 mitted making numerous calls from the White
 22 House in which he solicited campaign contributions.

23 (3) The Vice President said that there was “no
 24 controlling legal authority” regarding the use of

1 Federal Government telephones and properties for
2 the use of campaign fundraising.

3 (4) Documents that the White House released
4 reveal that Vice President Gore made 86 fundraising
5 calls from his White House office, and these new
6 records reveal that Vice President Gore made 20 of
7 these calls at taxpayer expense.

8 (5) Section 641 of title 18, United States Code,
9 (prohibiting the conversion of Federal Government
10 property to personal use) clearly prohibits the use of
11 Federal Government property to raise campaign
12 funds.

13 (6) On its face, the conduct to which Vice
14 President Gore admitted appears to be a clear viola-
15 tion of section 607 of title 18, United States Code,
16 which makes it unlawful for “any person to solicit
17 * * * any (campaign) contribution * * * in any
18 room or building occupied in the discharge of official
19 (government) duties”.

20 (b) SENSE OF THE CONGRESS.—It is the sense of
21 the Congress that Federal law clearly demonstrates that
22 “controlling legal authority” prohibits the use of Federal
23 Government property to raise campaign funds.

1 **TITLE X—PROHIBITING SOLICI-**
2 **TATION TO OBTAIN ACCESS**
3 **TO CERTAIN FEDERAL GOV-**
4 **ERNMENT PROPERTY**

5 **SEC. 1001. PROHIBITION AGAINST ACCEPTANCE OR SOLICI-**
6 **TATION TO OBTAIN ACCESS TO CERTAIN FED-**
7 **ERAL GOVERNMENT PROPERTY.**

8 (a) IN GENERAL.—Chapter 11 of title 18, United
9 States Code, is amended by adding at the end the follow-
10 ing new section:

11 **“§ 226. Acceptance or solicitation to obtain access to**
12 **certain Federal Government property**

13 “Whoever solicits or receives anything of value in con-
14 sideration of providing a person with access to Air Force
15 One, Marine One, Air Force Two, Marine Two, the White
16 House, or the Vice President’s residence, shall be fined
17 under this title, or imprisoned not more than one year,
18 or both.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 for chapter 11 of title 18, United States Code, is amended
21 by adding at the end the following new item:

“226. Acceptance or solicitation to obtain access to certain Federal Government
property.”.

1 **TITLE XI—REIMBURSEMENT**
 2 **FOR USE OF AIR FORCE ONE**
 3 **FOR POLITICAL FUNDRAIS-**
 4 **ING**

5 **SEC. 1101. REQUIRING NATIONAL PARTIES TO REIMBURSE**
 6 **AT COST FOR USE OF AIR FORCE ONE FOR**
 7 **POLITICAL FUNDRAISING.**

8 Title III of the Federal Election Campaign Act of
 9 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
 10 401, 507, 510, and 515, is further amended by adding
 11 at the end the following new section:

12 “REIMBURSEMENT BY POLITICAL PARTIES FOR USE OF
 13 AIR FORCE ONE FOR POLITICAL FUNDRAISING

14 “SEC. 328. (a) IN GENERAL.—If the President, Vice
 15 President, or the head of any executive department (as
 16 defined in section 101 of title 5, United States Code) uses
 17 Air Force One for transportation for any travel which in-
 18 cludes a fundraising event for the benefit of any political
 19 committee of a national political party, such political com-
 20 mittee shall reimburse the Federal Government for the ac-
 21 tual costs incurred as a result of the use of Air Force
 22 One for the transportation of the individual involved.

23 “(b) AIR FORCE ONE DEFINED.—In subsection (a),
 24 the term ‘Air Force One’ means the airplane operated by

1 the Air Force which has been specially configured to carry
 2 out the mission of transporting the President.”.

3 **TITLE XII—PROHIBITING USE OF** 4 **WALKING AROUND MONEY**

5 **SEC. 1201. PROHIBITING CAMPAIGNS FROM PROVIDING**
 6 **CURRENCY TO INDIVIDUALS FOR PURPOSES**
 7 **OF ENCOURAGING TURNOUT ON DATE OF**
 8 **ELECTION.**

9 Title III of the Federal Election Campaign Act of
 10 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
 11 401, 507, 510, 515, and 1101, is further amended by add-
 12 ing at the end the following new section:

13 “PROHIBITING USE OF CURRENCY TO PROMOTE
 14 ELECTION DAY TURNOUT

15 “SEC. 329. It shall be unlawful for any political com-
 16 mittee to provide currency to any person for purposes of
 17 carrying out activities on the date of an election to encour-
 18 age or assist individuals to appear at the polling place for
 19 the election.”.

20 **TITLE XIII—ENHANCING EN-** 21 **FORCEMENT OF CAMPAIGN** 22 **LAW**

23 **SEC. 1301. ENHANCING ENFORCEMENT OF CAMPAIGN**
 24 **FINANCE LAW.**

25 (a) MANDATORY IMPRISONMENT FOR CRIMINAL
 26 CONDUCT.—Section 309(d)(1)(A) of the Federal Election

1 Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is
2 amended—

3 (1) in the first sentence, by striking “shall be
4 fined, or imprisoned for not more than one year, or
5 both” and inserting “shall be imprisoned for not
6 fewer than 1 year and not more than 10 years”; and

7 (2) by striking the second sentence.

8 (b) CONCURRENT AUTHORITY OF ATTORNEY GEN-
9 ERAL TO BRING CRIMINAL ACTIONS.—Section 309(d) of
10 such Act (2 U.S.C. 437g(d)) is amended by adding at the
11 end the following new paragraph:

12 “(4) In addition to the authority to bring cases re-
13 ferred pursuant to subsection (a)(5), the Attorney General
14 may at any time bring a criminal action for a violation
15 of this Act or of chapter 95 or chapter 96 of the Internal
16 Revenue Code of 1986.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to actions brought
19 with respect to elections occurring after January 1999.

1 **TITLE XIV—BAN ON COORDI-**
2 **NATED SOFT MONEY ACTIVI-**
3 **TIES BY PRESIDENTIAL CAN-**
4 **DIDATES**

5 **SEC. 1401. BAN ON COORDINATION OF SOFT MONEY FOR**
6 **ISSUE ADVOCACY BY PRESIDENTIAL CAN-**
7 **DIDATES RECEIVING PUBLIC FINANCING.**

8 (a) IN GENERAL.—Section 9003 of the Internal Rev-
9 enue Code of 1986 (26 U.S.C. 9003) is amended by add-
10 ing at the end the following new subsection:

11 “(f) BAN ON COORDINATION OF SOFT MONEY FOR
12 ISSUE ADVOCACY.—

13 “(1) IN GENERAL.—No candidate for election
14 to the office of President or Vice President who is
15 certified to receive amounts from the Presidential
16 Election Campaign Fund under this chapter or
17 chapter 96 may coordinate the expenditure of any
18 funds for issue advocacy with any political party un-
19 less the funds are subject to the limitations, prohibi-
20 tions, and reporting requirements of the Federal
21 Election Campaign Act of 1971.

22 “(2) ISSUE ADVOCACY DEFINED.—In this sec-
23 tion, the term ‘issue advocacy’ means any activity
24 carried out for the purpose of influencing the consid-
25 eration or outcome of any Federal legislation or the

1 issuance or outcome of any Federal regulations, or
2 educating individuals about candidates for election
3 for Federal office or any Federal legislation, law, or
4 regulations (without regard to whether the activity is
5 carried out for the purpose of influencing any elec-
6 tion for Federal office).”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 this section shall apply with respect to elections occurring
9 on or after the date of the enactment of this Act.

10 **TITLE XV—POSTING NAMES OF**
11 **CERTAIN AIR FORCE ONE**
12 **PASSENGERS ON INTERNET**

13 **SEC. 1501. REQUIREMENT THAT NAMES OF PASSENGERS**
14 **ON AIR FORCE ONE AND AIR FORCE TWO BE**
15 **MADE AVAILABLE THROUGH THE INTERNET.**

16 (a) IN GENERAL.—The President shall make avail-
17 able through the Internet the name of any non-Govern-
18 ment person who is a passenger on an aircraft designated
19 as Air Force One or Air Force Two not later than 30 days
20 after the date that the person is a passenger on such air-
21 craft.

22 (b) EXCEPTION.—Subsection (a) shall not apply in
23 a case in which the President determines that compliance
24 with such subsection would be contrary to the national se-
25 curity interests of the United States. In any such case,

1 not later than 30 days after the date that the person
 2 whose name will not be made available through the Inter-
 3 net was a passenger on the aircraft, the President shall
 4 submit to the chairman and ranking member of the Per-
 5 manent Select Committee on Intelligence of the House of
 6 Representatives and of the Select Committee on Intel-
 7 ligence of the Senate—

8 (1) the name of the person; and

9 (2) the justification for not making such name
 10 available through the Internet.

11 (c) DEFINITION OF PERSON.—As used in this Act,
 12 the term “non-Government person” means a person who
 13 is not an officer or employee of the United States, a mem-
 14 ber of the Armed Forces, or a Member of Congress.

15 **TITLE XVI—EXPULSION PRO-**
 16 **CEEDINGS FOR HOUSE MEM-**
 17 **BERS RECEIVING FOREIGN**
 18 **CONTRIBUTIONS**

19 **SEC. 1601. PERMITTING CONSIDERATION OF PRIVILEGED**
 20 **MOTION TO EXPEL HOUSE MEMBER ACCEPT-**
 21 **ING ILLEGAL FOREIGN CONTRIBUTION.**

22 (a) IN GENERAL.—If a Member of the House of Rep-
 23 resentatives is convicted of a violation of section 319 of
 24 the Federal Election Campaign Act of 1971 (or any suc-
 25 cessor provision prohibiting the solicitation, receipt, or ac-

1 ceptance of a contribution from a foreign national), the
2 Committee on Standards of Official Conduct, shall imme-
3 diately consider the conduct of the Member and shall make
4 a report and recommendations to the House forthwith
5 concerning that Member which may include a rec-
6 ommendation for expulsion.

Passed the House of Representatives August 6,
1998.

Attest:

ROBIN H. CARLE,
Clerk.