

106TH CONGRESS
1ST SESSION

S. 1816

To amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 1999

Mr. HAGEL (for himself, Mr. ABRAHAM, Mr. DEWINE, Mr. GORTON, Mr. KERREY, Ms. LANDRIEU, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Open and Accountable
5 Campaign Financing Act of 2000”.

TITLE I—DISCLOSURE

SEC. 101. ADDITIONAL MONTHLY AND QUARTERLY DISCLOSURE REPORTS.

(a) PRINCIPAL CAMPAIGN COMMITTEES.—

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

“(iii) additional monthly reports, which shall be filed not later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that monthly reports shall not be required under this clause in November and December and a year end report shall be filed not later than January 31 of the following calendar year.”.

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

1 not later than January 31 of the following calendar
 2 year.”.

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

10 (c) CONFORMING AMENDMENTS.—

11 (1) SECTION 304.—Section 304(a) of the Fed-
 12 eral Election Campaign Act of 1971 (2 U.S.C.
 13 434(a)) is amended—

14 (A) in paragraph (3)(A)(ii), by striking
 15 “quarterly reports” and inserting “monthly re-
 16 ports”; and

17 (B) in paragraph (8), by striking “quar-
 18 terly report under paragraph (2)(A)(iii) or
 19 paragraph (4)(A)(i)” and inserting “monthly
 20 report under paragraph (2)(A)(iii) or paragraph
 21 (4)(A)”.

22 (2) SECTION 309.—Section 309(b) of the Fed-
 23 eral Election Campaign Act of 1971 (2 U.S.C.
 24 437g(b)) by striking “calendar quarter” and insert-
 25 ing “month”.

1 **SEC. 102. REPORTING BY NATIONAL POLITICAL PARTY**
 2 **COMMITTEES.**

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

6 “(d) POLITICAL COMMITTEES.—

7 “(1) NATIONAL AND CONGRESSIONAL POLIT-
 8 ICAL COMMITTEES.—The national committee of a
 9 political 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) ITEMIZATION.—If a political committee
 14 has receipts or disbursements to which this sub-
 15 section applies from any person aggregating in ex-
 16 cess of \$200 for any calendar year, the political
 17 committee shall separately itemize its reporting for
 18 such person in the same manner as required in para-
 19 graphs (3)(A), (5), and (6) of subsection (b).

20 “(3) REPORTING PERIODS.—Reports required
 21 to be filed under this subsection shall be filed for the
 22 same time periods required for political committees
 23 under subsection (a).”.

1 **SEC. 103. INCREASED ELECTRONIC DISCLOSURE.**

2 Section 304 of the Federal Election Campaign Act
3 of 1971 (2 U.S.C. 434), as amended by section 102, is
4 amended by adding at the end the following:

5 “(e) INTERNET AVAILABILITY.—The Commission
6 shall make the information contained in the reports sub-
7 mitted under this section available on the Internet and
8 publicly available at the offices of the Commission as soon
9 as practicable (but in no case later than 24 hours) after
10 the information is received by the Commission.”.

11 **SEC. 104. PUBLIC ACCESS TO BROADCASTING RECORDS.**

12 Section 315 of the Communications Act of 1934 (47
13 U.S.C. 315) is amended by redesignating subsections (c)
14 and (d) as subsections (d) and (e), respectively, and insert-
15 ing after subsection (b) the following:

16 “(c) POLITICAL RECORD.—

17 “(1) IN GENERAL.—A licensee shall maintain,
18 and make available for public inspection, a complete
19 record of a request to purchase broadcast time
20 that—

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

23 “(B) communicates a message relating to
24 any political matter of national importance,
25 including—

26 “(i) a legally qualified candidate;

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

2 “(iii) a national legislative issue of
3 public importance.

4 “(2) CONTENTS OF RECORD.—A record main-
5 tained under paragraph (1) shall contain informa-
6 tion regarding—

7 “(A) whether the request to purchase
8 broadcast time is accepted or rejected by the li-
9 censee;

10 “(B) the rate charged for the broadcast
11 time;

12 “(D) the date and time that the commu-
13 nication is aired;

14 “(E) the class of time that is purchased;

15 “(F) the name of the candidate to which
16 the communication refers and the office to
17 which the candidate is seeking election, the elec-
18 tion to which the communication refers, or the
19 issue to which the communication refers (as ap-
20 plicable);

21 “(G) in the case of a request made by, or
22 on behalf of, a candidate, the name of the can-
23 didate, the authorized committee of the can-
24 didate, and the treasurer of such committee;
25 and

1 “(H) in the case of any other request, the
 2 name of the person purchasing the time, the
 3 name, address, and phone number of a contact
 4 person for such person, and a list of the chief
 5 executive officers or members of the executive
 6 committee or of the board of directors of such
 7 person.

8 “(3) TIME TO MAINTAIN FILE.—The informa-
 9 tion required under this subsection shall be placed in
 10 a political file as soon as possible and shall be re-
 11 tained by the licensee for a period of not less than
 12 2 years.”.

13 **TITLE II—SOFT MONEY OF NA-**
 14 **TIONAL POLITICAL PARTIES**
 15 **AND CONTRIBUTION LIMITS**

16 **SEC. 201. LIMIT ON SOFT MONEY OF NATIONAL POLITICAL**
 17 **PARTY COMMITTEES.**

18 Title III of the Federal Election Campaign Act of
 19 1971 (2 U.S.C. 431 et seq.) is amended by adding at the
 20 end the following:

21 **“SEC. 324. LIMIT ON SOFT MONEY OF NATIONAL POLITICAL**
 22 **PARTY COMMITTEES.**

23 “(a) LIMITATION.—A national committee of a polit-
 24 ical party, a congressional campaign committee of a na-
 25 tional party, or an entity directly or indirectly established,

1 financed, maintained, or controlled by such committee
 2 shall not accept a donation, gift, or transfer of funds of
 3 any kind (not including transfers from other committees
 4 of the political party or contributions), during a calendar
 5 year, from a person (including a person directly or indi-
 6 rectly established, financed, maintained, or controlled by
 7 such person) in an aggregate amount in excess of \$60,000.

8 “(b) INDEXING.—In the case of any calendar year
 9 after 1999—

10 “(1) the \$60,000 amount under subsection (a)
 11 shall be increased based on the increase in the price
 12 index determined under section 315(c), except that
 13 the base period shall be calendar year 1999; and

14 “(2) the amount so increased shall be the
 15 amount in effect for the calendar year.”.

16 **SEC. 202. JUDICIAL REVIEW.**

17 (a) EXPEDITED REVIEW.—Any Member of Congress,
 18 candidate, national committee of a political party, or any
 19 person adversely affected by section 324 of the Federal
 20 Election Campaign Act of 1971, as added by section 201,
 21 may bring an action, in the United States District Court
 22 for the District of Columbia, for declaratory judgment and
 23 injunctive relief on the ground that such section 324 vio-
 24 lates the Constitution.

1 (b) APPEAL TO SUPREME COURT.—Notwithstanding
2 any other provision of law, any order of the United States
3 District Court for the District of Columbia granting or
4 denying an injunction regarding, or finally disposing of,
5 an action brought under subsection (a) shall be reviewable
6 by appeal directly to the Supreme Court of the United
7 States. Any such appeal shall be taken by a notice of ap-
8 peal filed within 10 calendar days after such order is en-
9 tered; and the jurisdictional statement shall be filed within
10 30 calendar days after such order is entered.

11 (c) EXPEDITED CONSIDERATION.—It shall be the
12 duty of the District Court for the District of Columbia
13 and the Supreme Court of the United States to advance
14 on the docket and to expedite to the greatest possible ex-
15 tent the disposition of any matter brought under sub-
16 section (a).

17 (d) ENFORCEABILITY.—The enforcement of any pro-
18 vision of section 324 of the Federal Election Campaign
19 Act of 1971, as added by section 201, shall be stayed,
20 and such section 324 shall not be effective, for the
21 period—

22 (1) beginning on the date of the filing of an ac-
23 tion under subsection (a), and

1 (2) ending on the date of the final disposition
 2 of such action on its merits by the Supreme Court
 3 of the United States.

4 (e) APPLICABILITY.—This section shall apply only
 5 with respect to any action filed under subsection (a) not
 6 later than 30 days after the effective date of this Act.

7 **SEC. 203. INCREASE IN CONTRIBUTION LIMITS.**

8 (a) INCREASE IN INDIVIDUAL AND POLITICAL COM-
 9 MITTEE CONTRIBUTION LIMITS.—Section 315(a) of the
 10 Federal Election Campaign Act of 1971 (2 U.S.C.
 11 441a(a)) is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (A), by striking
 14 “\$1,000” and inserting “\$3,000”;

15 (B) in subparagraph (B), by striking
 16 “\$20,000” and inserting “\$60,000”; and

17 (C) in subparagraph (C), by striking
 18 “\$5,000” and inserting “\$15,000”; and

19 (2) in paragraph (3)—

20 (A) by striking “\$25,000” and inserting
 21 “\$75,000”; and

22 (B) by striking the second sentence.

23 (b) INCREASE IN MULTICANDIDATE LIMITS.—Sec-
 24 tion 315(a)(2) of the Federal Election Campaign Act of
 25 1971 (2 U.S.C. 441a(a)(2)) is amended—

1 (1) in subparagraph (A), by striking “\$5,000”
 2 and inserting “\$7,500”;

3 (2) in subparagraph (B), by striking “\$15,000”
 4 and inserting “\$30,000”; and

5 (3) in subparagraph (C), by striking “\$5,000”
 6 and inserting “\$7,500”.

7 (c) INDEXING.—Section 315(c) of the Federal Elec-
 8 tion Campaign Act of 1971 (2 U.S.C. 441a(c)) is
 9 amended—

10 (1) in paragraph (1)—

11 (A) by striking the second and third sen-
 12 tences;

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

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

16 “(B) Except as provided in subparagraph (C), in any
 17 calendar year after 2000—

18 “(i) a limitation established by subsection (a),
 19 (b), or (d) shall be increased by the percent dif-
 20 ference determined under subparagraph (A); and

21 “(ii) each amount so increased shall remain in
 22 effect for the calendar year.

23 “(C) In the case of limitations under paragraphs
 24 (1)(A) and (2)(A) of subsection (a), each amount in-
 25 creased under subparagraph (B) shall remain in effect for

1 the 2-year period beginning on the first day following the
 2 date of the last general election in the year preceding the
 3 year in which the amount is increased and ending on the
 4 date of the next general election.”; and

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

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

9 “(ii) for purposes of subsection (a), cal-
 10 endar year 2000”.

11 (d) EFFECTIVE DATE.—The amendments made by
 12 this section shall apply to calendar years beginning after
 13 December 31, 1999.

14 **TITLE III—MISCELLANEOUS** 15 **PROVISIONS**

16 **SEC. 301. PROHIBITION OF SOLICITATION OF POLITICAL** 17 **PARTY SOFT MONEY IN FEDERAL BUILDINGS.**

18 (a) IN GENERAL.—Section 607 of title 18, United
 19 States Code, is amended—

20 (1) in subsection (a), by striking “within the
 21 meaning of section 301(8) of the Federal Election
 22 Campaign Act of 1971”; and

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

24 “(c) DEFINITION OF CONTRIBUTION.—In this sec-
 25 tion, the term ‘contribution’ means a gift, subscription,

1 loan, advance, or deposit of money or anything of value
 2 made by any person in connection with—

3 “(1) any election or elections for Federal office;

4 “(2) any political committee (as defined in sec-
 5 tion 301 of the Federal Election Campaign Act of
 6 1971); or

7 “(3) any State, district, or local committee of a
 8 political party.”.

9 (b) AMENDMENT OF TITLE 18 TO INCLUDE PROHI-
 10 BITION OF DONATIONS.—Section 602(a)(4) of title 18,
 11 United States Code, is amended by striking “within the
 12 meaning of section 301(8)” and inserting “(as defined in
 13 section 607(c))”.

14 **SEC. 302. UPDATE OF PENALTY AMOUNTS.**

15 Section 309 of the Federal Election Campaign Act
 16 of 1971 (2 U.S.C. 437g) is amended by adding at the end
 17 the following:

18 “(e) ADJUSTMENT OF DOLLAR AMOUNTS FOR IN-
 19 FLATION.—In the case of any calendar year after 1999—

20 “(1) each dollar amount under this section shall
 21 be increased based on the increase in the price index
 22 determined under section 315(c); and

23 “(2) each amount so increased shall be the
 24 amount in effect for the calendar year.

- 1 The preceding sentence shall not apply to any amount
- 2 under subsection (d) other than the \$25,000 amount
- 3 under paragraph (1)(A) of such subsection.”.

