

107TH CONGRESS
1ST SESSION

H. R. 380

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2001

Mr. SHAYS (for himself, Mr. MEEHAN, Mr. WAMP, Mr. LEVIN, Mr. CASTLE, Mr. DINGELL, Mr. HORN, Mrs. MALONEY of New York, Mr. GILMAN, Mr. FARR of California, Mrs. ROUKEMA, Mr. BONIOR, Mr. GALLEGLY, Mr. GEPHARDT, Mr. HOUGHTON, Mr. ALLEN, Mr. GREENWOOD, Mr. HOYER, Mr. GILCHREST, Mr. STENHOLM, Mrs. MORELLA, Ms. DELAURO, Mr. LATOURETTE, Mr. LEWIS of Georgia, Mr. BOEHLERT, Mr. FRANK, Mr. BASS, Mr. GEORGE MILLER of California, Mr. GILLMOR, Ms. RIVERS, Mrs. JOHNSON of Connecticut, Mrs. CAPPS, Mr. LEACH, Mr. DOOLEY of California, Mr. RAMSTAD, Mr. CARDIN, Mr. LOBIONDO, Mr. TURNER, Mr. GANSKE, Mr. BARRETT of Wisconsin, Mrs. KELLY, Mr. TIERNEY, Mr. FOLEY, Mr. PRICE of North Carolina, Mr. WALSH, Mr. KIND, Mr. FRELINGHUYSEN, Mr. NADLER, Mr. OSE, Mr. SHERMAN, Mr. KIRK, Mr. STARK, Mr. SIMMONS, Mr. BRADY of Pennsylvania, Mr. BALDACCI, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LUTHER, Mr. MALONEY of Connecticut, Mr. WAXMAN, Mr. POMEROY, Mr. CLEMENT, Mr. LANTOS, Mr. PALLONE, Mr. HINCHEY, Mr. BLUMENAUER, Mr. WEXLER, Mr. MCGOVERN, Mr. MARKEY, Mr. ROTHMAN, Mr. PASCRELL, Mr. KANJORSKI, Mr. ACKERMAN, Mr. DAVIS of Florida, Mr. HOLT, Mr. GREEN of Texas, Mr. KLECZKA, Ms. KILPATRICK, Ms. ROYBAL-ALLARD, Mrs. TAUSCHER, Mr. SPRATT, Mr. HOEFFEL, Mr. MOORE, Mr. BORSKI, Ms. BALDWIN, Mr. UDALL of New Mexico, Ms. CARSON of Indiana, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Mr. SNYDER, Mr. BAIRD, Mr. GONZALEZ, Mr. INSLEE, Mr. STRICKLAND, Mr. CROWLEY, Ms. ESHOO, Mr. DEFazio, Ms. WOOLSEY, Ms. SLAUGHTER, Mr. WEINER, Mr. ABERCROMBIE, Mr. ENGEL, Mr. THOMPSON of California, Mr. FILNER, Mr. LARSON of Connecticut, Mr. UDALL of Colorado, Mr. SANDERS, Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. COYNE, Mr. BECERRA, Mr. BLAGOJEVICH, Mr. EVANS, Mr. UNDERWOOD, Mr. DELAHUNT, Mr. LAFALCE, Mr. WU, Mr. KUCINICH, Mr. GORDON, Mr. SCHIFF, Ms. HARMAN, Mr. RANGEL, Mrs. DAVIS of California, Mr. VISCLOSKEY, Mr. LARSEN of Washington, Mr. RODRIGUEZ, Ms. HOOLEY of Oregon, Mr. REYES, Mr. McNULTY, Mr. CLAY, Mr. ROSS, Mr. BROWN of Ohio, Mr.

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

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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. Express advocacy determined without regard to background music.

Sec. 203. Civil penalty.

Sec. 204. Reporting requirements for certain independent expenditures.

Sec. 205. Independent versus coordinated expenditures by party.

Sec. 206. Coordination with candidates.

TITLE III—DISCLOSURE

- Sec. 301. Prohibition of deposit of contributions with incomplete contributor information.
- Sec. 302. Audits.
- Sec. 303. Reporting requirements for contributions of \$50 or more.
- Sec. 304. Use of candidates' names.
- Sec. 305. Prohibition of false representation to solicit contributions.
- Sec. 306. Soft money of persons other than political parties.
- Sec. 307. 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 violations.
- Sec. 506. Strengthening foreign money ban.
- 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. Penalty for violation of prohibition against foreign contributions.
- Sec. 512. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
- Sec. 513. Conspiracy to violate presidential campaign spending limits.
- Sec. 514. Deposit of certain contributions and donations in treasury account.
- Sec. 515. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
- Sec. 516. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.
- Sec. 517. Clarification of right of nationals of the United States to make political contributions.

TITLE VI—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

- Sec. 601. Establishment and purpose of commission.
- Sec. 602. Membership of commission.
- Sec. 603. Powers of commission.
- Sec. 604. Administrative provisions.
- Sec. 605. Report and recommended legislation.
- Sec. 606. Expedited congressional consideration of legislation.
- Sec. 607. Termination.
- Sec. 608. Authorization of appropriations.

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

Sec. 701. Prohibiting use of White House meals and accommodations for political fundraising.

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

Sec. 801. Sense of the Congress regarding applicability of controlling legal authority to fundraising on Federal government property.

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

Sec. 901. Prohibition against acceptance or solicitation to obtain access to certain Federal government property.

TITLE X—REIMBURSEMENT FOR USE OF GOVERNMENT
PROPERTY FOR CAMPAIGN ACTIVITY

Sec. 1001. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.

Sec. 1002. Reimbursement for use of government equipment for campaign-related travel.

TITLE XI—PROHIBITING USE OF WALKING AROUND MONEY

Sec. 1101. Prohibiting campaigns from providing currency to individuals for purposes of encouraging turnout on date of election.

TITLE XII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

Sec. 1201. Enhancing enforcement of campaign finance law.

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

Sec. 1301. Ban on coordination of soft money for issue advocacy by presidential candidates receiving public financing.

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

Sec. 1401. Requirement that names of passengers on Air Force One and Air Force Two be made available through the Internet.

TITLE XV—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS
RECEIVING FOREIGN CONTRIBUTIONS

Sec. 1501. Permitting consideration of privileged motion to expel House member accepting illegal foreign contribution.

TITLE XVI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE
DATE; REGULATIONS

Sec. 1601. Severability.

Sec. 1602. Review of constitutional issues.

Sec. 1603. Effective date.

Sec. 1604. Regulations.

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-
21 tional congressional campaign committee of a polit-
22 ical party), or an entity acting on behalf of a na-
23 tional committee, and an officer or agent acting on
24 behalf of any such committee or entity.

1 “(b) STATE, DISTRICT, AND LOCAL COMMITTEES
2 AND CANDIDATES.—

3 “(1) RESTRICTIONS ON FEDERAL ELECTION AC-
4 TIVITY.—

5 “(A) IN GENERAL.—An amount that is ex-
6 pended or disbursed for Federal election activ-
7 ity by a State, district, or local committee of a
8 political party (including an entity that is di-
9 rectly or indirectly established, financed, main-
10 tained, or controlled by a State, district, or
11 local committee of a political party and an offi-
12 cer or agent acting on behalf of such committee
13 or entity), or by an entity directly or indirectly
14 established, financed, maintained, or controlled
15 by or acting on behalf of one or more can-
16 didates for election for State or local office or
17 one or more individuals holding State or local
18 office, shall be made from funds subject to the
19 limitations, prohibitions, and reporting require-
20 ments of this Act.

21 “(B) NO EFFECT ON CERTAIN ACTIVITIES
22 PERMITTED UNDER STATE LAW.—Nothing in
23 this subsection may be construed to prevent the
24 principal campaign committee of a candidate
25 for election to a non-Federal office from raising

1 or spending funds to the extent permitted under
2 applicable State law for any activity described
3 in paragraph (2)(A)(i) or paragraph (2)(A)(ii),
4 or for any public communication described in
5 paragraph (2)(A)(iii) which is made solely to
6 promote the candidate's campaign for election
7 to such non-Federal office.

8 “(2) FEDERAL ELECTION ACTIVITY.—

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

11 “(i) voter registration activity during
12 the period that begins on the date that is
13 120 days before the date a regularly sched-
14 uled Federal election is held and ends on
15 the date of the election;

16 “(ii) voter identification, get-out-the-
17 vote activity, or generic campaign activity
18 conducted in connection with an election in
19 which a candidate for Federal office ap-
20 pears on the ballot (regardless of whether
21 a candidate for State or local office also
22 appears on the ballot);

23 “(iii) a public communication that re-
24 fers to a clearly identified candidate for
25 Federal office (regardless of whether a

1 candidate for State or local office is also
2 mentioned or identified) and that pro-
3 motes, supports, attacks, or opposes a can-
4 didate for that office (regardless of wheth-
5 er the communication expressly advocates
6 a vote for or against a candidate); and

7 “(iv) services provided in any month
8 by an employee of a State, district, or local
9 committee of a political party who spends
10 more than 25 percent of that individual’s
11 compensated time during that month on
12 activities in connection with a Federal elec-
13 tion.

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 or
18 by an entity described in paragraph (1)(A)
19 for—

20 “(i) a public communication which re-
21 fers solely to a clearly identified candidate
22 for State or local office, so long as the
23 communication is not a Federal election
24 activity described in subparagraph (A)(i)
25 or (ii);

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 and

13 “(v) the cost of constructing or pur-
14 chasing an office facility or equipment for
15 a State, district or local committee, if per-
16 mitted by State law.

17 “(C) PUBLIC COMMUNICATION DEFINED.—

18 “(i) IN GENERAL.—In this paragraph,
19 the term ‘public communication’ means
20 any broadcast, cable, or satellite commu-
21 nication, or any communication made to
22 the general public through a newspaper,
23 magazine, outdoor advertising facility,
24 mass mailing, or telephone bank, or any

1 other form of general public political ad-
2 vertising.

3 “(ii) MASS MAILING.—In clause (i),
4 the term ‘mass mailing’ means a mailing
5 of more than 500 pieces of mail matter of
6 an identical or substantially similar nature
7 within any 30-day period.

8 “(iii) TELEPHONE BANK DEFINED.—
9 In clause (i), the term ‘telephone bank’
10 means more than 500 telephone calls with-
11 in any 30-day period of an identical or
12 substantially similar nature.

13 “(c) FUNDRAISING COSTS.—An amount spent by a
14 person described in subsection (a) or (b)(1)(A) to raise
15 funds that are used, in whole or in part, to pay the costs
16 of Federal election activity shall be made from funds sub-
17 ject to the limitations, prohibitions, and reporting require-
18 ments of this Act, except that this subsection shall not
19 apply to activities described in subsection (b)(1)(B).

20 “(d) TAX-EXEMPT ORGANIZATIONS.—A national,
21 State, district, or local committee of a political party (in-
22 cluding a national congressional campaign committee of
23 a political party), an entity that is directly or indirectly
24 established, financed, maintained, or controlled by any
25 such national, State, district, or local committee or its

1 agent, and an officer or agent acting on behalf of any such
2 party committee or entity, shall not solicit any funds for,
3 or make or direct any donations to, an organization that
4 is described in section 501(c) of the Internal Revenue
5 Code of 1986 and exempt from taxation under section
6 501(a) of such Code (or has submitted an application to
7 the Commissioner of the Internal Revenue Service for de-
8 termination of tax-exemption under such section) or an
9 organization described in section 527 of such Code (other
10 than a political committee).

11 “(e) CANDIDATES.—

12 “(1) IN GENERAL.—A candidate, individual
13 holding Federal office, agent of a candidate or indi-
14 vidual holding Federal office, or an entity directly or
15 indirectly established, financed, maintained or con-
16 trolled by or acting on behalf of one or more can-
17 didates or individuals holding Federal office, shall
18 not—

19 “(A) solicit, receive, direct, transfer, or
20 spend funds in connection with an election for
21 Federal office, including funds for any Federal
22 election activity, unless the funds are subject to
23 the limitations, prohibitions, and reporting re-
24 quirements of this Act; or

1 “(B) solicit, receive, direct, transfer, or
2 spend funds in connection with any election
3 other than an election for Federal office or dis-
4 burse funds in connection with such an election
5 unless the funds—

6 “(i) are not in excess of the amounts
7 permitted with respect to contributions to
8 candidates and political committees under
9 paragraphs (1) and (2) of section 315(a);
10 and

11 “(ii) are not from sources prohibited
12 by this Act from making contributions with
13 respect to an election for Federal office.

14 “(2) STATE LAW.—Paragraph (1) does not
15 apply to the solicitation, receipt, or spending of
16 funds by an individual who is a candidate for a
17 State or local office in connection with such election
18 for State or local office if the solicitation, receipt, or
19 spending of funds is permitted under State law for
20 any activity, other than a public communication de-
21 scribed in subsection (b)(2)(A)(iii) on behalf of an-
22 other candidate for election for Federal office.

23 “(3) FUNDRAISING EVENTS.—Notwithstanding
24 paragraph (1), a candidate or individual holding
25 Federal office may attend, speak, or be a featured

1 guest at a fundraising event held for a State, dis-
 2 trict, or local committee of a political party.”.

3 **SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE**
 4 **COMMITTEES OF POLITICAL PARTIES AND**
 5 **AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.**
 6

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

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

13 (2) in subparagraph (C)—

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

17 (B) by striking the period at the end and
 18 inserting “; or”; and

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

20 “(D) to a political committee established and
 21 maintained by a State committee of a political party
 22 in any calendar year that, in the aggregate, exceed
 23 \$10,000”.

24 (b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Cam-
 25

1 paign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by
 2 striking “\$25,000” and inserting “\$30,000”.

3 **SEC. 103. REPORTING REQUIREMENTS.**

4 (a) REPORTING REQUIREMENTS.—Section 304 of the
 5 Federal Election Campaign Act of 1971 (2 U.S.C. 434)
 6 (as amended by section 204) is amended by inserting after
 7 subsection (d) the following:

8 “(e) POLITICAL COMMITTEES.—

9 “(1) NATIONAL AND CONGRESSIONAL POLIT-
 10 ICAL COMMITTEES.—The national committee of a
 11 political party, any national congressional campaign
 12 committee of a political party, and any subordinate
 13 committee of either, shall report all receipts and dis-
 14 bursements during the reporting period.

15 “(2) OTHER POLITICAL COMMITTEES TO WHICH
 16 SECTION 323 APPLIES.—In addition to any other re-
 17 porting requirements applicable under this Act, a
 18 political committee (not described in paragraph (1))
 19 to which section 323(b)(1) applies shall report all re-
 20 cepts and disbursements made for activities de-
 21 scribed in paragraph (2)(A) of section 323(b).

22 “(3) ITEMIZATION.—If a political committee
 23 has receipts or disbursements to which this sub-
 24 section applies from any person aggregating in ex-
 25 cess of \$200 for any calendar year, the political

1 committee shall separately itemize its reporting for
 2 such person in the same manner as required in para-
 3 graphs (3)(A), (5), and (6) of subsection (b).

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

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

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

13 (2) by redesignating clauses (ix) through (xv)
 14 as clauses (viii) through (xiv), respectively.

15 **TITLE II—INDEPENDENT AND** 16 **COORDINATED EXPENDITURES**

17 **SEC. 201. DEFINITIONS.**

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

22 “(17) INDEPENDENT EXPENDITURE.—

23 “(A) IN GENERAL.—The term ‘inde-
 24 pendent expenditure’ means an expenditure by
 25 a person—

1 “(i) for a communication that is ex-
2 press advocacy; and

3 “(ii) that is not coordinated activity
4 or is not provided in coordination with a
5 candidate or a candidate’s agent or a per-
6 son who is coordinating with a candidate
7 or a candidate’s agent.”.

8 (b) DEFINITION OF EXPRESS ADVOCACY.—Section
9 301 of the Federal Election Campaign Act of 1971 (2
10 U.S.C. 431) is amended by adding at the end the fol-
11 lowing:

12 “(20) EXPRESS ADVOCACY.—

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

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

1 “(ii) referring to one or more clearly
2 identified candidates in a paid advertise-
3 ment that is transmitted through radio or
4 television within 60 calendar days pre-
5 ceding the date of an election of the can-
6 didate and that appears in the State in
7 which the election is occurring, except that
8 with respect to a candidate for the office of
9 Vice President or President, the time pe-
10 riod is within 60 calendar days preceding
11 the date of a general election; or

12 “(iii) expressing unmistakable and un-
13 ambiguous support for or opposition to one
14 or more clearly identified candidates when
15 taken as a whole and with limited ref-
16 erence to external events, such as prox-
17 imity to an election.

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

22 “(i) presents information solely about
23 the voting record or position on a cam-
24 paign issue of one or more candidates (in-
25 cluding any statement by the sponsor of

1 the voting record or voting guide of its
2 agreement or disagreement with the record
3 or position of a candidate), so long as the
4 voting record or voting guide when taken
5 as a whole does not express unmistakable
6 and unambiguous support for or opposition
7 to one or more clearly identified can-
8 didates;

9 “(ii) is not coordinated activity or is
10 not made in coordination with a candidate,
11 political party, or agent of the candidate or
12 party, or a candidate’s agent or a person
13 who is coordinating with a candidate or a
14 candidate’s agent, except that nothing in
15 this clause may be construed to prevent
16 the sponsor of the voting guide from di-
17 recting questions in writing to a candidate
18 about the candidate’s position on issues for
19 purposes of preparing a voter guide or to
20 prevent the candidate from responding in
21 writing to such questions; and

22 “(iii) does not contain a phrase such
23 as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your
24 ballot for’, ‘(name of candidate) for Con-
25 gress’, ‘(name of candidate) in (year)’,

1 ‘vote against’, ‘defeat’, or ‘reject’, or a
 2 campaign slogan or words that in context
 3 can have no reasonable meaning other than
 4 to urge the election or defeat of one or
 5 more clearly identified candidates.”.

6 (c) DEFINITION OF EXPENDITURE.—Section
 7 301(9)(A) of the Federal Election Campaign Act of 1971
 8 (2 U.S.C. 431(9)(A)) is amended—

9 (1) in clause (i), by striking “and” at the end;
 10 (2) in clause (ii), by striking the period at the
 11 end and inserting “; and”; and
 12 (3) by adding at the end the following:

13 “(iii) a payment made by a political committee
 14 for a communication that—

15 “(I) refers to a clearly identified candidate;
 16 and

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

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

22 Section 301(20) of the Federal Election Campaign
 23 Act of 1971 (2 U.S.C. 431(20)), as added by section
 24 201(b), is amended by adding at the end the following new
 25 subparagraph:

1 “(C) BACKGROUND MUSIC.—In deter-
 2 mining whether any communication by tele-
 3 vision or radio broadcast constitutes express ad-
 4 vocacy for purposes of this Act, there shall not
 5 be taken into account any background music
 6 not including lyrics used in such broadcast.”.

7 **SEC. 203. CIVIL PENALTY.**

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

10 (1) in subsection (a)—

11 (A) in paragraph (4)(A)—

12 (i) in clause (i), by striking “clause
 13 (ii)” and inserting “clauses (ii) and (iii)”;
 14 and

15 (ii) by adding at the end the fol-
 16 lowing:

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

24 (B) in paragraph (6)(B), by inserting “(ex-
 25 cept an action instituted in connection with a

1 knowing and willful violation of section
 2 304(c))” after “subparagraph (A)”; and
 3 (2) in subsection (d)(1)—

4 (A) in subparagraph (A), by striking “Any
 5 person” and inserting “Except as provided in
 6 subparagraph (D), any person”; and

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

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

12 **SEC. 204. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
 13 **PENDENT EXPENDITURES.**

14 (a) IN GENERAL.—Section 304 of the Federal Elec-
 15 tion Campaign Act of 1971 (2 U.S.C. 434), as amended
 16 by section 502(a) of the Department of Transportation
 17 and Related Agencies Act, 2001 (as enacted into law by
 18 reference under section 101(a) of Public Law 106–346),
 19 is amended—

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

22 (2) by redesignating paragraph (3) of sub-
 23 section (c) as subsection (f);

24 (3) by redesignating subsection (d) as sub-
 25 section (g); and

1 (4) by inserting after subsection (c)(2) (as
2 amended by paragraph (1)) the following:

3 “(d) TIME FOR REPORTING CERTAIN EXPENDI-
4 TURES.—

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

6 “(A) INITIAL REPORT.—A person (includ-
7 ing a political committee) that makes or con-
8 tracts to make independent expenditures aggreg-
9 ating \$1,000 or more after the 20th day, but
10 more than 24 hours, before the date of an elec-
11 tion shall file a report describing the expendi-
12 tures within 24 hours after that amount of
13 independent expenditures has been made.

14 “(B) ADDITIONAL REPORTS.—After a per-
15 son files a report under subparagraph (A), the
16 person shall file an additional report within 24
17 hours after each time the person makes or con-
18 tracts to make independent expenditures aggreg-
19 ating an additional \$1,000 with respect to the
20 same election as that to which the initial report
21 relates.

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

23 “(A) INITIAL REPORT.—A person (includ-
24 ing a political committee) that makes or con-
25 tracts to make independent expenditures aggreg-

1 gating \$10,000 or more at any time up to and
2 including the 20th day before the date of an
3 election shall file a report describing the ex-
4 penditures within 48 hours after that amount
5 of independent expenditures has been made.

6 “(B) ADDITIONAL REPORTS.—After a per-
7 son files a report under subparagraph (A), the
8 person shall file an additional report within 48
9 hours after each time the person makes or con-
10 tracts to make independent expenditures aggre-
11 gating an additional \$10,000 with respect to
12 the same election as that to which the initial re-
13 port relates.

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

16 “(A) shall be filed with the Commission;
17 and

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

22 “(4) TIME OF FILING.—Notwithstanding sub-
23 section (a)(5), the time at which a report under this
24 subsection is received by the Commission shall be
25 considered the time of filing of the report.”.

1 (b) CONFORMING AMENDMENTS.—

2 (1) TIME OF FILING.—Section 304(a)(5) of
3 such Act (2 U.S.C. 434(a)(5)), as amended by sec-
4 tion 502(c)(2) of the Department of Transportation
5 and Related Agencies Act, 2001 (as enacted into law
6 by reference under section 101(a) of Public Law
7 106–346), is amended by striking “the second sen-
8 tence of subsection (c)(2)” and inserting “subsection
9 (d)(4)”.

10 (2) CLARIFICATION OF PERMISSIBLE USE OF
11 FACSIMILE MACHINES AND ELECTRONIC MAIL TO
12 FILE REPORTS.—Section 304(d)(1) of such Act (2
13 U.S.C. 434(d)(1)), as added by section 502(a) of the
14 Department of Transportation and Related Agencies
15 Act, 2001 (as enacted into law by reference under
16 section 101(a) of Public Law 106–346), is amended
17 by striking “subsection (c) of this section” and in-
18 serting “subsection (c) or a report under subsection
19 (d)”.

20 **SEC. 205. INDEPENDENT VERSUS COORDINATED EXPENDI-**
21 **TURES BY PARTY.**

22 Section 315(d) of the Federal Election Campaign Act
23 (2 U.S.C. 441a(d)) is amended—

24 (1) in paragraph (1), by striking “and (3)” and
25 inserting “, (3), and (4)”; and

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

2 “(4) INDEPENDENT VERSUS COORDINATED EX-
3 PENDITURES BY PARTY.—

4 “(A) IN GENERAL.—On or after the date on
5 which a political party nominates a candidate, a
6 committee of the political party shall not make both
7 expenditures under this subsection and independent
8 expenditures (as defined in section 301(17)) with re-
9 spect to the candidate during the election cycle.

10 “(B) CERTIFICATION.—Before making a coordi-
11 nated expenditure under this subsection with respect
12 to a candidate, a committee of a political party shall
13 file with the Commission a certification, signed by
14 the treasurer of the committee, that the committee
15 has not and shall not make any independent expend-
16 iture with respect to the candidate during the same
17 election cycle.

18 “(C) APPLICATION.—For the purposes of this
19 paragraph, all political committees established and
20 maintained by a national political party (including
21 all congressional campaign committees) and all polit-
22 ical committees established and maintained by a
23 State political party (including any subordinate com-
24 mittee of a State committee) shall be considered to
25 be a single political committee.

1 “(D) TRANSFERS.—A committee of a political
2 party that submits a certification under subpara-
3 graph (B) with respect to a candidate shall not, dur-
4 ing an election cycle, transfer any funds to, assign
5 authority to make coordinated expenditures under
6 this subsection to, or receive a transfer of funds
7 from, a committee of the political party that has
8 made or intends to make an independent expendi-
9 ture with respect to the candidate.

10 “(5) DETERMINATION OF COORDINATION BY A PO-
11 LITICAL PARTY.—For purposes of this title, if a com-
12 mittee of a political party makes any expenditure which
13 refers to a clearly identified candidate of that party, or
14 to the opponent of a candidate of that party, in connection
15 with a Federal election, the expenditure shall be deemed
16 to be made in coordination with the candidate of that
17 party (regardless of whether the communication expressly
18 advocates a vote for or against any candidate), unless the
19 party certifies under penalty of perjury that there has
20 been no coordination with the candidate in the making of
21 the expenditure.”.

22 **SEC. 206. COORDINATION WITH CANDIDATES.**

23 (a) DEFINITION OF COORDINATION WITH CAN-
24 DIDATES.—

1 (1) SECTION 301(8).—Section 301(8) of the
2 Federal Election Campaign Act of 1971 (2 U.S.C.
3 431(8)) is amended—

4 (A) in subparagraph (A)—

5 (i) by striking “or” at the end of
6 clause (i);

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

9 (iii) by adding at the end the fol-
10 lowing:

11 “(iii) coordinated activity (as defined
12 in subparagraph (C)).”; and

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

14 “(C) ‘Coordinated activity’ means anything
15 of value provided by a person in connection
16 with a Federal candidate’s election who is (or
17 who at any time during the same election cycle
18 has been) acting in coordination with that can-
19 didate (or an agent of that candidate) on any
20 campaign activity in connection with a Federal
21 election in which such candidate seeks nomina-
22 tion or election to Federal office (regardless of
23 whether the value provided is in the form of a
24 communication which expressly advocates a vote

1 for or against any candidate), and includes any
2 of the following:

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, the political party of
9 the candidate, or an agent acting on behalf
10 of a candidate, authorized committee, or
11 the political party of the candidate.

12 “(ii) A payment made by a person for
13 the production, dissemination, distribution,
14 or republication, in whole or in part, of any
15 broadcast or any written, graphic, or other
16 form of campaign material prepared by a
17 candidate, a candidate’s authorized com-
18 mittee, or an agent of a candidate or au-
19 thorized committee (not including a com-
20 munication described in paragraph
21 (9)(B)(i) or a communication that ex-
22 pressly advocates the candidate’s defeat),
23 except that this clause shall not apply with
24 respect to materials published on a can-

1 didate’s website and republished at a cost
2 of less than \$1,000.

3 “(iii) A payment made by a person if,
4 in the same election cycle in which the pay-
5 ment is made, the person making the
6 payment—

7 “(I) is serving or has previously
8 served as an employee, fundraiser, or
9 agent of the candidate or the can-
10 didate’s authorized committee in an
11 executive or policymaking capacity; or

12 “(II) has previously participated
13 in discussions (other than on an inci-
14 dental basis) with the candidate, an
15 agent of the candidate’s authorized
16 committee, or a committee of a polit-
17 ical party which is coordinating with
18 the candidate regarding the can-
19 didate’s campaign strategy and tac-
20 tics, including (but not limited to) ad-
21 vertising, message, allocation of re-
22 sources, fundraising, or campaign op-
23 erations.

24 “(iv) A payment made by a person if,
25 in the same election cycle, the person mak-

1 ing the payment retains the professional
2 services of any person that has provided or
3 is providing those services in the same
4 election cycle to a candidate (including
5 services provided through a political com-
6 mittee of the candidate’s political party) in
7 connection with the candidate’s pursuit of
8 nomination for election, or election, to
9 Federal office, including services relating
10 to the candidate’s decision to seek Federal
11 office, and the person retained is retained
12 to work on activities relating to that can-
13 didate’s campaign.

14 “(D) For purposes of subparagraph (C),
15 the term ‘professional services’ means polling,
16 media advice, fundraising, campaign research or
17 direct mail (except for mailhouse services) serv-
18 ices in support of a candidate’s pursuit of nomi-
19 nation for election, or election, to Federal of-
20 fice.

21 “(E) For purposes of subparagraph (C),
22 all political committees established and main-
23 tained by a national political party (including
24 all congressional campaign committees) and all
25 political committees established and maintained

1 by a State political party (including any subor-
 2 dinate committee of a State committee) shall be
 3 considered to be a single political committee.”.

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

7 “(B) a coordinated activity, as described in
 8 section 301(8)(C), shall be considered to be a
 9 contribution to the candidate and an expendi-
 10 ture by the candidate; and”.

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

17 **TITLE III—DISCLOSURE**

18 **SEC. 301. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS** 19 **WITH INCOMPLETE CONTRIBUTOR INFORMA-** 20 **TION.**

21 Section 302 of Federal Election Campaign Act of
 22 1971 (2 U.S.C. 432) is amended by adding at the end
 23 the following:

24 “(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of
 25 a candidate’s authorized committee shall not deposit, ex-

cept in an escrow account, or otherwise negotiate a contribution from a person who makes an aggregate amount of contributions in excess of \$200 during a calendar year unless the treasurer verifies that the information required by this section with respect to the contributor is complete.”.

SEC. 302. AUDITS.

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

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

(2) by moving the text 2 ems to the right; and

(3) by adding at the end the following:

“(2) RANDOM AUDITS.—

“(A) IN GENERAL.—Notwithstanding paragraph (1), the Commission may conduct random audits and investigations to ensure voluntary compliance with this Act. The selection of any candidate for a random audit or investigation shall be based on criteria adopted by a vote of at least four members of the Commission.

“(B) LIMITATION.—The Commission shall not conduct an audit or investigation of a can-

didate’s authorized committee under subparagraph (A) until the candidate is no longer a candidate for the office sought by the candidate in an election cycle.

“(C) APPLICABILITY.—This paragraph does not apply to an authorized committee of a candidate for President or Vice President subject to audit under section 9007 or 9038 of the Internal Revenue Code of 1986.”.

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

SEC. 303. REPORTING REQUIREMENTS FOR CONTRIBUTIONS OF \$50 OR MORE.

Section 304(b)(3)(A) of the Federal Election Campaign Act at 1971 (2 U.S.C. 434(b)(3)(A)) is amended—

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

(2) by striking the semicolon and inserting “,
except that in the case of a person who makes contributions aggregating at least \$50 but not more than \$200 during the calendar year (or election cycle, in the case of an authorized committee of a

1 candidate for Federal office), the identification need
2 include only the name and address of the person;”.

3 **SEC. 304. USE OF CANDIDATES’ NAMES.**

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

7 “(4)(A) The name of each authorized committee shall
8 include the name of the candidate who authorized the com-
9 mittee under paragraph (1).

10 “(B) A political committee that is not an authorized
11 committee shall not—

12 “(i) include the name of any candidate in its
13 name; or

14 “(ii) except in the case of a national, State, or
15 local party committee, use the name of any can-
16 didate in any activity on behalf of the committee in
17 such a context as to suggest that the committee is
18 an authorized committee of the candidate or that the
19 use of the candidate’s name has been authorized by
20 the candidate.”.

21 **SEC. 305. PROHIBITION OF FALSE REPRESENTATION TO**
22 **SOLICIT CONTRIBUTIONS.**

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

1 (1) by inserting after “SEC. 322.” the fol-
 2 lowing: “(a) IN GENERAL.—”; and

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

4 “(b) SOLICITATION OF CONTRIBUTIONS.—No person
 5 shall solicit contributions by falsely representing himself
 6 or herself as a candidate or as a representative of a can-
 7 didate, a political committee, or a political party.”.

8 **SEC. 306. SOFT MONEY OF PERSONS OTHER THAN POLIT-**
 9 **ICAL PARTIES.**

10 (a) IN GENERAL.—Section 304 of the Federal Elec-
 11 tion Campaign Act of 1971 (2 U.S.C. 434) (as amended
 12 by section 103(c) and section 204) is amended by adding
 13 at the end the following new subsection:

14 “(h) DISBURSEMENTS OF PERSONS OTHER THAN
 15 POLITICAL PARTIES.—

16 “(1) IN GENERAL.—A person, other than a po-
 17 litical committee of a political party or a person de-
 18 scribed in section 501(d) of the Internal Revenue
 19 Code of 1986, that makes an aggregate amount of
 20 disbursements in excess of \$50,000 during a cal-
 21 endar year for activities described in paragraph (2)
 22 shall file a statement with the Commission—

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

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

4 “(2) ACTIVITY.—The activity described in this
5 paragraph is—

6 “(A) Federal election activity;

7 “(B) an activity described in section
8 316(b)(2)(A) that expresses support for or op-
9 position to a candidate for Federal office or a
10 political party; and

11 “(C) an activity described in subparagraph
12 (B) or (C) of section 316(b)(2).

13 “(3) APPLICABILITY.—This subsection does not
14 apply to—

15 “(A) a candidate or a candidate’s author-
16 ized committees; or

17 “(B) an independent expenditure.

18 “(4) CONTENTS.—A statement under this sec-
19 tion shall contain such information about the dis-
20 bursements made during the reporting period as the
21 Commission shall prescribe, including—

22 “(A) the aggregate amount of disburse-
23 ments made;

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

4 “(C) the date made, amount, and purpose
5 of the disbursement; and

6 “(D) if applicable, whether the disburse-
7 ment was in support of, or in opposition to, a
8 candidate or a political party, and the name of
9 the candidate or the political party.”.

10 (b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—
11 Section 301 of the Federal Election Campaign Act of
12 1971 (2 U.S.C. 431 et seq.) (as amended by section
13 201(b)) is further amended by adding at the end the fol-
14 lowing:

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

19 **SEC. 307. CAMPAIGN ADVERTISING.**

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

22 (1) in subsection (a)—

23 (A) in the matter preceding paragraph

24 (1)—

1 (i) by striking “Whenever” and insert-
2 ing “Whenever a political committee makes
3 a disbursement for the purpose of financ-
4 ing any communication through any broad-
5 casting station, newspaper, magazine, out-
6 door advertising facility, mailing, or any
7 other type of general public political adver-
8 tising, or whenever”;

9 (ii) by striking “an expenditure” and
10 inserting “a disbursement”; and

11 (iii) by striking “direct”; and

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

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

15 “(c) Any printed communication described in sub-
16 section (a) shall—

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

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

21 “(3) be printed with a reasonable degree of
22 color contrast between the background and the
23 printed statement.

24 “(d)(1) Any communication described in paragraphs
25 (1) or (2) of subsection (a) which is transmitted through

1 radio or television shall include, in addition to the require-
2 ments of that paragraph, an audio statement by the can-
3 didate that identifies the candidate and states that the
4 candidate has approved the communication.

5 “(2) If a communication described in paragraph (1)
6 is transmitted through television, the communication shall
7 include, in addition to the audio statement under para-
8 graph (1), a written statement that—

9 “(A) appears at the end of the communication
10 in a clearly readable manner with a reasonable de-
11 gree of color contrast between the background and
12 the printed statement, for a period of at least 4 sec-
13 onds; and

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

16 “(e) Any communication described in paragraph (3)
17 of subsection (a) which is transmitted through radio or
18 television shall include, in addition to the requirements of
19 that paragraph, in a clearly spoken manner, the following
20 statement: ‘ _____ is responsible for the con-
21 tent of this advertisement.’ (with the blank to be filled in
22 with the name of the political committee or other person
23 paying for the communication and the name of any con-
24 nected organization of the payor). If transmitted through
25 television, the statement shall also appear in a clearly

1 readable manner with a reasonable degree of color con-
 2 trast between the background and the printed statement,
 3 for a period of at least 4 seconds.”.

4 **TITLE IV—PERSONAL WEALTH** 5 **OPTION**

6 **SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE** 7 **LIMIT.**

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

12 “VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT

13 “SEC. 324. (a) ELIGIBLE CONGRESSIONAL CAN-
 14 DIDATE.—

15 “(1) PRIMARY ELECTION.—

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

25 “(B) TIME TO FILE.—The declaration
 26 under subparagraph (A) shall be filed not later

1 than the date on which the candidate files with
2 the appropriate State officer as a candidate for
3 the primary election.

4 “(2) GENERAL ELECTION.—

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

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

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

22 “(B) TIME TO FILE.—The declaration
23 under subparagraph (A) shall be filed not later
24 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 205)
14 is amended by adding at the end the following:

15 “(6) 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
17 organization—

18 “(i) reasonable personal notice of the
19 objection procedure, a list of the employees
20 eligible to invoke the procedure, and the
21 time, place, and manner for filing an objec-
22 tion; 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 non campaign-related automobile
16 expense;

17 “(D) a country club membership;

18 “(E) a vacation or other non campaign-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 in connection with a Federal,
 4 State, or local election from a person who is located
 5 in a room or building occupied in the discharge of
 6 official duties by an officer or employee of the
 7 United States. An individual who is an officer or
 8 employee of the Federal Government, including the
 9 President, Vice President, and Members of Con-
 10 gress, shall not solicit a donation of money or other
 11 thing of value in connection with a Federal, State,
 12 or local election while in any room or building occu-
 13 pied in the discharge of official duties by an officer
 14 or employee of the United States, from any person.

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

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

20 **SEC. 505. PENALTIES FOR VIOLATIONS.**

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

24 (1) in paragraphs (5)(A), (6)(A), and (6)(B),
 25 by striking “\$5,000” and inserting “\$10,000”; and

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

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

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

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

16 “(13) PENALTY FOR LATE FILING.—

17 “(A) IN GENERAL.—

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

23 “(ii) REQUIRED FILING.—In addition to
 24 imposing a penalty, the Commission may re-
 25 quire a report that has not been filed within the

1 time requirements of section 304 to be filed by
2 a specific date.

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

7 “(iv) EFFECT ON OTHER SCHEDULES OF
8 PENALTIES FOR FILING VIOLATIONS.—In estab-
9 lishing the schedule of penalties under clause
10 (i), the Commission shall take into consider-
11 ation the penalties provided for violations of
12 section 304(a) under the schedule of penalties
13 established under paragraph (4)(C)(i)(II).

14 “(B) FILING AN EXCEPTION.—

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

20 “(ii) TIME FOR COMMISSION TO RULE.—
21 Within 30 days after receiving an exception, the
22 Commission shall make a determination that is
23 a final agency action subject to exclusive review
24 by the United States Court of Appeals for the
25 District of Columbia Circuit under section 706

of title 5, United States Code, upon petition filed in that court by the political committee or treasurer that is the subject of the agency action, if the petition is filed within 30 days after the date of the Commission action for which review is sought.”;

(2) in paragraph (5)(D)—

(A) by inserting after the first sentence the following: “In any case in which a penalty or filing requirement imposed on a political committee or treasurer under paragraph (13) has not been satisfied, the Commission may institute a civil action for enforcement under paragraph (6)(A).”; and

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

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

SEC. 506. STRENGTHENING FOREIGN MONEY BAN.

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

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

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

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

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

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

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

15 “(2) a person to solicit, accept, or receive such
 16 a contribution or donation from a foreign national.”.

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

20 (1) IN GENERAL.—Section 319 of such Act (2
 21 U.S.C. 441e) is 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) PROHIBITING USE OF WILLFUL BLINDNESS
 2 DEFENSE.—It shall not be a defense to a violation of sub-
 3 section (a) that the defendant did not know that the con-
 4 tribution originated from a foreign national if the defend-
 5 ant should have known that the contribution originated
 6 from a foreign national, except that the trier of fact may
 7 not find that the defendant should have known that the
 8 contribution originated from a foreign national solely be-
 9 cause of the name of the contributor.”.

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

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

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

19 “PROHIBITION OF CONTRIBUTIONS BY MINORS

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

24 **SEC. 508. EXPEDITED PROCEDURES.**

25 (a) IN GENERAL.—Section 309(a) of the Federal
 26 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 pro-
13 ceedings under paragraphs (1), (2), (3), and (4) as nec-
14 essary to allow the matter to be resolved in sufficient time
15 before the election to avoid harm or prejudice to the inter-
16 ests 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. PENALTY FOR VIOLATION OF PROHIBITION**
 21 **AGAINST FOREIGN CONTRIBUTIONS.**

22 (a) IN GENERAL.—Section 319 of the Federal Elec-
 23 tion Campaign Act of 1971 (2 U.S.C. 441e), as amended
 24 by section 506(b), is further amended—

25 (1) by redesignating subsection (c) as sub-
 26 section (d); and

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

3 “(c) PENALTY.—

4 “(1) IN GENERAL.—Except as provided in para-
 5 graph (2), notwithstanding any other provision of
 6 this title any person who violates subsection (a) shall
 7 be sentenced to a term of imprisonment which may
 8 not be more than 10 years, fined in an amount not
 9 to exceed \$1,000,000, or both.

10 “(2) EXCEPTION.—Paragraph (1) shall not
 11 apply with respect to any violation of subsection (a)
 12 arising from a contribution or donation made by an
 13 individual who is lawfully admitted for permanent
 14 residence (as defined in section 101(a)(22) of the
 15 Immigration and Nationality Act).”.

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

19 **SEC. 512. EXPEDITED COURT REVIEW OF CERTAIN AL-**
 20 **LEGED VIOLATIONS OF FEDERAL ELECTION**
 21 **CAMPAIGN ACT OF 1971.**

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

24 (1) by redesignating subsection (d) as sub-
 25 section (e); and

1 (2) by inserting after subsection (c) the fol-
2 lowing new subsection:

3 “(d) Notwithstanding any other provision of this sec-
4 tion, if a candidate (or the candidate’s authorized com-
5 mittee) believes that a violation described in paragraph (2)
6 has been committed with respect to an election during the
7 90-day period preceding the date of the election, the can-
8 didate or committee may institute a civil action on behalf
9 of the Commission for relief (including injunctive relief)
10 against the alleged violator in the same manner and under
11 the same terms and conditions as an action instituted by
12 the Commission under subsection (a)(6), except that the
13 court involved shall issue a decision regarding the action
14 as soon as practicable after the action is instituted and
15 to the greatest extent possible issue the decision prior to
16 the date of the election involved.

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

20 “(A) whether a contribution is in excess of an
21 applicable limit or is otherwise prohibited under this
22 Act; or

23 “(B) whether an expenditure is an independent
24 expenditure under section 301(17).”.

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

4 **SEC. 513. CONSPIRACY TO VIOLATE PRESIDENTIAL CAM-**
5 **PAIGN SPENDING LIMITS.**

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

9 “(g) PROHIBITING CONSPIRACY TO VIOLATE LIM-
10 ITS.—

11 “(1) VIOLATION OF LIMITS DESCRIBED.—If a
12 candidate for election to the office of President or
13 Vice President who receives amounts from the Presi-
14 dential Election Campaign Fund under chapter 95
15 or 96 of the Internal Revenue Code of 1986, or the
16 agent of such a candidate, seeks to avoid the spend-
17 ing limits applicable to the candidate under such
18 chapter or under the Federal Election Campaign Act
19 of 1971 by soliciting, receiving, transferring, or di-
20 recting funds from any source other than such Fund
21 for the direct or indirect benefit of such candidate’s
22 campaign, such candidate or agent shall be fined not
23 more than \$1,000,000, or imprisoned for a term of
24 not more than 3 years, or both.

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

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 **SEC. 514. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DO-**
 11 **NATIONS IN TREASURY ACCOUNT.**

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

16 “TREATMENT OF CERTAIN CONTRIBUTIONS AND
 17 DONATIONS TO BE RETURNED TO DONORS

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

19 “(1) IN GENERAL.—Notwithstanding any other
 20 provision of this Act, if a political committee intends
 21 to return any contribution or donation given to the
 22 political committee, the committee shall transfer the
 23 contribution or donation to the Commission if—

24 “(A) the contribution or donation is in an
 25 amount equal to or greater than \$500 (other

1 than a contribution or donation returned within
2 60 days of receipt by the committee); or

3 “(B) the contribution or donation was
4 made in violation of section 315, 316, 317, 319,
5 320, or 325 (other than a contribution or dona-
6 tion returned within 30 days of receipt by the
7 committee).

8 “(2) INFORMATION INCLUDED WITH TRANS-
9 FERRED CONTRIBUTION OR DONATION.—A political
10 committee shall include with any contribution or do-
11 nation transferred under paragraph (1)—

12 “(A) a request that the Commission return
13 the contribution or donation to the person mak-
14 ing the contribution or donation; and

15 “(B) information regarding the cir-
16 cumstances surrounding the making of the con-
17 tribution or donation and any opinion of the po-
18 litical committee concerning whether the con-
19 tribution or donation may have been made in
20 violation of this Act.

21 “(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

22 “(A) IN GENERAL.—The Commission shall
23 establish a single interest-bearing escrow ac-
24 count for deposit of amounts transferred under
25 paragraph (1).

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

5 “(i) deposit the amount in the escrow
6 account established under subparagraph
7 (A); and

8 “(ii) notify the Attorney General and
9 the Commissioner of the Internal Revenue
10 Service of the receipt of the amount from
11 the political committee.

12 “(C) USE OF INTEREST.—Interest earned
13 on amounts in the escrow account established
14 under subparagraph (A) shall be applied or
15 used for the same purposes as the donation or
16 contribution on which it is earned.

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

22 “(b) USE OF AMOUNTS PLACED IN ESCROW TO
23 COVER FINES AND PENALTIES.—The Commission or the
24 Attorney General may require any amount deposited in
25 the escrow account under subsection (a)(3) to be applied

1 toward the payment of any fine or penalty imposed under
2 this Act or title 18, United States Code, against the per-
3 son making the contribution or donation.

4 “(c) RETURN OF CONTRIBUTION OR DONATION
5 AFTER DEPOSIT IN ESCROW.—

6 “(1) IN GENERAL.—The Commission shall re-
7 turn a contribution or donation deposited in the es-
8 crow account under subsection (a)(3) to the person
9 making the contribution or donation if—

10 “(A) within 180 days after the date the
11 contribution or donation is transferred, the
12 Commission has not made a determination
13 under section 309(a)(2) that the Commission
14 has reason to investigate whether that the mak-
15 ing of the contribution or donation was made in
16 violation of this Act; or

17 “(B)(i) the contribution or donation will
18 not be used to cover fines, penalties, or costs
19 pursuant to subsection (b); or

20 “(ii) if the contribution or donation will be
21 used for those purposes, that the amounts re-
22 quired for those purposes have been withdrawn
23 from the escrow account and subtracted from
24 the returnable contribution or donation.

1 “(2) NO EFFECT ON STATUS OF INVESTIGA-
2 TION.—The return of a contribution or donation by
3 the Commission under this subsection shall not be
4 construed as having an effect on the status of an in-
5 vestigation by the Commission or the Attorney Gen-
6 eral of the contribution or donation or the cir-
7 cumstances surrounding the contribution or dona-
8 tion, or on the ability of the Commission or the At-
9 torney General to take future actions with respect to
10 the contribution or donation.”.

11 (b) AMOUNTS USED TO DETERMINE AMOUNT OF
12 PENALTY FOR VIOLATION.—Section 309(a) of such Act
13 (2 U.S.C. 437g(a)) is amended by inserting after para-
14 graph (9) the following new paragraph:

15 “(10) For purposes of determining the amount of a
16 civil penalty imposed under this subsection for violations
17 of section 326, the amount of the donation involved shall
18 be treated as the amount of the contribution involved.”.

19 (c) DISGORGEMENT AUTHORITY.—Section 309 of
20 such Act (2 U.S.C. 437g) is amended by adding at the
21 end the following new subsection:

22 “(e) Any conciliation agreement, civil action, or crimi-
23 nal action entered into or instituted under this section
24 may require a person to forfeit to the Treasury any con-
25 tribution, donation, or expenditure that is the subject of

1 the agreement or action for transfer to the Commission
2 for deposit in accordance with section 326.”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 subsections (a) and (b) shall apply to contributions or do-
5 nations refunded on or after the date of the enactment
6 of this Act, without regard to whether the Federal Elec-
7 tion Commission or Attorney General has issued regula-
8 tions to carry out section 326 of the Federal Election
9 Campaign Act of 1971 (as added by subsection (a)) by
10 such date.

11 **SEC. 515. ESTABLISHMENT OF A CLEARINGHOUSE OF IN-**
12 **FORMATION ON POLITICAL ACTIVITIES WITH-**
13 **IN THE FEDERAL ELECTION COMMISSION.**

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

20 (1) All registrations and reports filed pursuant
21 to the Lobbying Disclosure Act of 1995 (2 U.S.C.
22 1601 et seq.) during the preceding 5-year period.

23 (2) All registrations and reports filed pursuant
24 to the Foreign Agents Registration Act, as amended

1 (22 U.S.C. 611 et seq.), during the preceding 5-year
2 period.

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

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

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

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

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

23 (c) DIRECTOR OF CLEARINGHOUSE.—

24 (1) DUTIES.—The clearinghouse shall have a
25 Director, who shall administer and manage the re-

1 sponsibilities and all activities of the clearinghouse.

2 In carrying out such duties, the Director shall—

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

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

1 (C) not later than 150 days after the date
2 of the enactment of this Act and at any time
3 thereafter, to prescribe, in consultation with the
4 Comptroller General, such rules, regulations,
5 and forms, in conformity with the provisions of
6 chapter 5 of title 5, United States Code, as are
7 necessary to carry out the provisions of this
8 section in the most effective and efficient man-
9 ner.

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

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

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

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

1 (f) FOREIGN PRINCIPAL.—In this section, the term
2 “foreign principal” shall have the same meaning given the
3 term “foreign national” under section 319 of the Federal
4 Election Campaign Act of 1971 (2 U.S.C. 441e), as in
5 effect as of the date of the enactment of this Act.

6 **SEC. 516. ENFORCEMENT OF SPENDING LIMIT ON PRESI-**
7 **DENTIAL AND VICE PRESIDENTIAL CAN-**
8 **DIDATES WHO RECEIVE PUBLIC FINANCING.**

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

12 “(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No
13 candidate for election to the office of President or Vice
14 President may receive amounts from the Presidential
15 Election Campaign Fund under this chapter or chapter
16 96 unless the candidate certifies that the candidate shall
17 not solicit any funds for the purposes of influencing such
18 election, including any funds used for an independent ex-
19 penditure under the Federal Election Campaign Act of
20 1971, unless the funds are subject to the limitations, pro-
21 hibitions, and reporting requirements of the Federal Elec-
22 tion Campaign Act of 1971.”.

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

1 **SEC. 517. CLARIFICATION OF RIGHT OF NATIONALS OF THE**
 2 **UNITED STATES TO MAKE POLITICAL CON-**
 3 **TRIBUTIONS.**

4 Section 319(d)(2) of the Federal Election Campaign
 5 Act of 1971 (2 U.S.C. 441e(d)(2)), as amended and redes-
 6 igned by sections 506(b) and 511(a), is further amended
 7 by inserting after “United States” the following: “or a na-
 8 tional of the United States (as defined in section
 9 101(a)(22) of the Immigration and Nationality Act)”.

10 **TITLE VI—INDEPENDENT COM-**
 11 **MISSION ON CAMPAIGN FI-**
 12 **NANCE REFORM**

13 **SEC. 601. ESTABLISHMENT AND PURPOSE OF COMMISSION.**

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

20 **SEC. 602. MEMBERSHIP OF COMMISSION.**

21 (a) COMPOSITION.—The Commission shall be com-
 22 posed of 12 members appointed within 15 days after the
 23 date of the enactment of this Act by the President from
 24 among individuals who are not incumbent Members of
 25 Congress and who are specially qualified to serve on the

1 Commission by reason of education, training, or experi-
2 ence.

3 (b) APPOINTMENT.—

4 (1) IN GENERAL.—Members shall be appointed
5 as follows:

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

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

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

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

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

23 If an official described in any of the subparagraphs
24 of paragraph (1) fails to submit a list of nominees

1 to the President during the 15-day period which be-
2 gins on the date of the enactment of this Act—

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

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

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

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

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

20 (C) has provided substantial volunteer
21 services or made any substantial contribution to
22 the Democratic or Republican party or to a
23 Democratic or Republican party office-holder or
24 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. 603. 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. 604. 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. 605. 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 Sixth 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. 606. 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 605(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 605(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. 607. TERMINATION.**

12 The Commission shall cease to exist 90 days after
13 the date of the submission of its report under section 605.

14 **SEC. 608. 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 VII—PROHIBITING USE OF**
2 **WHITE HOUSE MEALS AND**
3 **ACCOMMODATIONS FOR PO-**
4 **LITICAL FUNDRAISING**

5 **SEC. 701. 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 fol-
10 lowing 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 3 years,
21 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 VIII—SENSE OF THE CON-**
5 **GRESS REGARDING FUND-**
6 **RAISING ON FEDERAL GOV-**
7 **ERNMENT PROPERTY**

8 **SEC. 801. SENSE OF THE CONGRESS REGARDING APPLICA-**
9 **BILITY OF CONTROLLING LEGAL AUTHORITY**
10 **TO FUNDRAISING ON FEDERAL GOVERN-**
11 **MENT PROPERTY.**

12 It is the sense of the Congress that Federal law clear-
13 ly demonstrates that “controlling legal authority” under
14 title 18, United States Code, prohibits the use of Federal
15 Government property to raise campaign funds.

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

5 **SEC. 901. 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 fol-
 10 lowing 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 X—REIMBURSEMENT FOR**
 2 **USE OF GOVERNMENT PROP-**
 3 **ERTY FOR CAMPAIGN ACTIV-**
 4 **ITY**

5 **SEC. 1001. 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
 21 fair market value of the transportation of the individual
 22 involved, based on the cost of an equivalent commercial
 23 chartered flight.

24 “(b) AIR FORCE ONE DEFINED.—In subsection (a),
 25 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 **SEC. 1002. REIMBURSEMENT FOR USE OF GOVERNMENT**
4 **EQUIPMENT FOR CAMPAIGN-RELATED TRAV-**
5 **EL.**

6 Title III of the Federal Election Campaign Act of
7 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
8 401, 507, 510, 515, and 1001, is further amended by add-
9 ing at the end the following new section:

10 “REIMBURSEMENT FOR USE OF GOVERNMENT
11 EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL

12 “SEC. 329. If a candidate for election for Federal of-
13 fice (other than a candidate who holds Federal office) uses
14 Federal government property as a means of transportation
15 for purposes related (in whole or in part) to the campaign
16 for election for such office, the principal campaign com-
17 mittee of the candidate shall reimburse the Federal gov-
18 ernment for the costs associated with providing the trans-
19 portation.”.

1 **TITLE XI—PROHIBITING USE OF**
 2 **WALKING AROUND MONEY**

3 **SEC. 1101. PROHIBITING CAMPAIGNS FROM PROVIDING**
 4 **CURRENCY TO INDIVIDUALS FOR PURPOSES**
 5 **OF ENCOURAGING TURNOUT ON DATE OF**
 6 **ELECTION.**

7 Title III of the Federal Election Campaign Act of
 8 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,
 9 401, 507, 510, 515, and 1001, is further amended by add-
 10 ing at the end the following new section:

11 “PROHIBITING USE OF CURRENCY TO PROMOTE
 12 ELECTION DAY TURNOUT

13 “SEC. 329. It shall be unlawful for any political com-
 14 mittee to provide currency to any individual (directly or
 15 through an agent of the committee) for purposes of en-
 16 couraging the individual to appear at the polling place for
 17 the election.”.

18 **TITLE XII—ENHANCING EN-**
 19 **FORCEMENT OF CAMPAIGN**
 20 **LAW**

21 **SEC. 1201. ENHANCING ENFORCEMENT OF CAMPAIGN FI-**
 22 **NANCE LAW.**

23 (a) MANDATORY IMPRISONMENT FOR CRIMINAL
 24 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 2001.

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

5 **SEC. 1301. 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 XIV—POSTING NAMES OF**
 11 **CERTAIN AIR FORCE ONE**
 12 **PASSENGERS ON INTERNET**

13 **SEC. 1401. 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 XV—EXPULSION PRO-**
 16 **CEEDINGS FOR HOUSE MEM-**
 17 **BERS RECEIVING FOREIGN**
 18 **CONTRIBUTIONS**

19 **SEC. 1501. 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.

7 (b) EXERCISE OF RULEMAKING AUTHORITY.—This
 8 section is enacted by Congress—

9 (1) as an exercise of the rulemaking power of
 10 the House of Representatives, and as such it is
 11 deemed a part of the rules of the House of Rep-
 12 resentatives, and it supersedes other rules only to
 13 the extent that it is inconsistent therewith; and

14 (2) with full recognition of the constitutional
 15 right of the House of Representatives to change the
 16 rule at any time, in the same manner and to the
 17 same extent as in the case of any other rule of the
 18 House of Representatives.

19 **TITLE XVI—SEVERABILITY; CON-**
 20 **STITUTIONALITY; EFFECTIVE**
 21 **DATE; REGULATIONS**

22 **SEC. 1601. SEVERABILITY.**

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

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

5 **SEC. 1602. REVIEW OF CONSTITUTIONAL ISSUES.**

6 An appeal may be taken directly to the Supreme
7 Court of the United States from any final judgment, de-
8 cree, or order issued by any court ruling on the constitu-
9 tionality of any provision of this Act or amendment made
10 by this Act.

11 **SEC. 1603. EFFECTIVE DATE.**

12 Except as otherwise provided in this Act, this Act and
13 the amendments made by this Act shall take effect upon
14 the expiration of the 90-day period which begins on the
15 date of the enactment of this Act.

16 **SEC. 1604. REGULATIONS.**

17 The Federal Election Commission shall prescribe any
18 regulations required to carry out this Act and the amend-
19 ments made by this Act not later than 45 days after the
20 date of the enactment of this Act.

