

107TH CONGRESS  
1ST SESSION

# S. 17

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

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## IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2001

Mr. DASCHLE (for himself, Mr. DODD, Mr. LIEBERMAN, Mr. DORGAN, Mr. DURBIN, Mr. BIDEN, Mrs. BOXER, Mrs. CLINTON, Mr. CORZINE, Mr. HARKIN, Mr. JOHNSON, Mr. KENNEDY, Mr. LEAHY, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. AKAKA, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

- Sec. 101. Soft money of political parties.
- Sec. 102. Increased contribution limits for State committees of political parties and aggregate contribution limit for individuals.
- Sec. 103. Reporting requirements.

## TITLE II—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. Audits.
- Sec. 302. Reporting requirements for contributions of \$50 or more.
- Sec. 303. Use of candidates' names.
- Sec. 304. Prohibition of false representation to solicit contributions.
- Sec. 305. Campaign advertising.

## TITLE IV—MISCELLANEOUS

- Sec. 401. Codification of Beck decision.
- Sec. 402. Use of contributed amounts for certain purposes.
- Sec. 403. Limit on congressional use of the franking privilege.
- Sec. 404. Prohibition of fundraising on Federal property.
- Sec. 405. Penalties for violations.
- Sec. 406. Strengthening foreign money ban.
- Sec. 407. Prohibition of contributions by minors.
- Sec. 408. Expedited procedures.
- Sec. 409. Initiation of enforcement proceeding.
- Sec. 410. Protecting equal participation of eligible voters in campaigns and elections.
- Sec. 411. Penalty for violation of prohibition against foreign contributions.
- Sec. 412. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
- Sec. 413. Conspiracy to violate presidential campaign spending limits.
- Sec. 414. Deposit of certain contributions and donations in Treasury account.
- Sec. 415. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
- Sec. 416. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.
- Sec. 417. Clarification of right of nationals of the United States to make political contributions.
- Sec. 418. Prohibiting use of White House meals and accommodations for political fundraising.
- Sec. 419. Prohibition against acceptance or solicitation to obtain access to certain Federal government property.
- Sec. 420. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.
- Sec. 421. Enhancing enforcement of campaign finance law.
- Sec. 422. Ban on coordination of soft money for issue advocacy by presidential candidates receiving public financing.

Sec. 423. Requirement that names of passengers on Air Force One and Air Force Two be made available through the Internet.

## TITLE V—ELECTION ADMINISTRATION AND TECHNOLOGY

Sec. 501. Findings.

### Subtitle A—Establishment of Commission on Voting Rights and Procedures

Sec. 511. Establishment.  
 Sec. 512. Membership of the Commission.  
 Sec. 513. Duties of the Commission.  
 Sec. 514. Powers of the Commission.  
 Sec. 515. Personnel matters.  
 Sec. 516. Termination of the Commission.  
 Sec. 517. Authorization of appropriations for the Commission.

### Subtitle B—Grant Program

Sec. 521. Establishment of grant program.  
 Sec. 522. Authorized activities.  
 Sec. 523. General policies and criteria.  
 Sec. 524. Submission of State plans.  
 Sec. 525. Approval of State plans.  
 Sec. 526. Federal matching funds.  
 Sec. 527. Audits and examinations.  
 Sec. 528. Reports.  
 Sec. 529. State defined.  
 Sec. 530. Authorization of appropriations.

### Subtitle C—Miscellaneous

Sec. 541. Relationship to other laws.

## TITLE VI—MILITARY VOTING

Sec. 601. Short title.  
 Sec. 602. Guarantee of residency.  
 Sec. 603. State responsibility to guarantee military voting rights.

## TITLE VII—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

Sec. 701. Severability.  
 Sec. 702. Review of constitutional issues.  
 Sec. 703. Effective date.  
 Sec. 704. Regulations.

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

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

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

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

8           “(a) NATIONAL COMMITTEES.—

9                   “(1) IN GENERAL.—A national committee of a  
 10 political party (including a national congressional  
 11 campaign committee of a political party) 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.

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

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

11           “(2) FEDERAL ELECTION ACTIVITY.—

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

14           “(i) voter registration activity during  
 15           the period that begins on the date that is  
 16           120 days before the date a regularly sched-  
 17           uled Federal election is held and ends on  
 18           the date of the election;

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

1 “(iii) a communication that refers to a  
2 clearly identified candidate for Federal of-  
3 fice (regardless of whether a candidate for  
4 State or local office is also mentioned or  
5 identified) and is made for the purpose of  
6 influencing a Federal election (regardless  
7 of whether the communication is express  
8 advocacy).

9 “(B) EXCLUDED ACTIVITY.—The term  
10 ‘Federal election activity’ does not include an  
11 amount expended or disbursed by a State, dis-  
12 trict, or local committee of a political party  
13 for—

14 “(i) campaign activity conducted sole-  
15 ly on behalf of a clearly identified can-  
16 didate for State or local office, provided  
17 the campaign activity is not a Federal elec-  
18 tion activity described in subparagraph  
19 (A);

20 “(ii) a contribution to a candidate for  
21 State or local office, provided the contribu-  
22 tion is not designated or used to pay for a  
23 Federal election activity described in sub-  
24 paragraph (A);

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

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

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

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

21 “(c) FUNDRAISING COSTS.—An amount spent by a  
22 national, State, district, or local committee of a political  
23 party, by an entity that is established, financed, main-  
24 tained, or controlled by a national, State, district, or local  
25 committee of a political party, or by an agent or officer

1 of any such committee or entity, to raise funds that are  
 2 used, in whole or in part, to pay the costs of a Federal  
 3 election activity shall be made from funds subject to the  
 4 limitations, prohibitions, and reporting requirements of  
 5 this Act.

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

20 “(e) CANDIDATES.—

21 “(1) IN GENERAL.—A candidate, individual  
 22 holding Federal office, agent of a candidate or indi-  
 23 vidual holding Federal office, or an entity directly or  
 24 indirectly established, financed, maintained or con-  
 25 trolled by or acting on behalf of one or more can-



1        didates or individuals holding Federal office, shall  
2        not—

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

9                “(B) solicit, receive, direct, transfer, or  
10               spend funds in connection with any election  
11               other than an election for Federal office or dis-  
12               burse funds in connection with such an election  
13               unless the funds—

14               “(i) are not in excess of the amounts  
15               permitted with respect to contributions to  
16               candidates and political committees under  
17               paragraphs (1) and (2) of section 315(a);  
18               and

19               “(ii) are not from sources prohibited  
20               by this Act from making contributions with  
21               respect to an election for Federal office.

22               “(2) STATE LAW.—Paragraph (1) does not  
23               apply to the solicitation, receipt, or spending of  
24               funds by an individual who is a candidate for a  
25               State or local office in connection with such election

1 for State or local office if the solicitation, receipt, or  
 2 spending of funds is permitted under State law for  
 3 any activity other than a Federal election activity.

4 “(3) FUNDRAISING EVENTS.—Notwithstanding  
 5 paragraph (1), a candidate may attend, speak, or be  
 6 a featured guest at a fundraising event for a State,  
 7 district, or local committee of a political party.”.

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

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

17 **SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE**  
 18 **COMMITTEES OF POLITICAL PARTIES AND**  
 19 **AGGREGATE CONTRIBUTION LIMIT FOR INDIV-**  
 20 **IDUALS.**

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

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

3 (2) in subparagraph (C)—

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

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

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

10 “(D) to a political committee established and  
11 maintained by a State committee of a political party  
12 in any calendar year that, in the aggregate, exceed  
13 \$10,000.”.

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

18 **SEC. 103. REPORTING REQUIREMENTS.**

19 (a) REPORTING REQUIREMENTS.—Section 304 of the  
20 Federal Election Campaign Act of 1971 (2 U.S.C. 434),  
21 as amended by section 204, is amended by inserting after  
22 subsection (f) the following:

23 “(g) POLITICAL COMMITTEES.—

24 “(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a  
25

1 political party, any national congressional campaign  
 2 committee of a political party, and any subordinate  
 3 committee of either, shall report all receipts and dis-  
 4 bursements during the reporting period.

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

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

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

24 (b) BUILDING FUND EXCEPTION TO THE DEFINI-  
 25 TION OF CONTRIBUTION.—Section 301(8)(B) of the Fed-

1 eral Election Campaign Act of 1971 (2 U.S.C. 431(8)(B))

2 is amended—

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

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

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

## 6 **TITLE II—INDEPENDENT AND** 7 **COORDINATED EXPENDITURES**

### 8 **SEC. 201. DEFINITIONS.**

9 (a) DEFINITION OF INDEPENDENT EXPENDITURE.—

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

13 “(17) INDEPENDENT EXPENDITURE.—

14 “(A) IN GENERAL.—The term ‘inde-  
15 pendent expenditure’ means an expenditure by  
16 a person—

17 “(i) for a communication that is ex-  
18 press advocacy; and

19 “(ii) that is not coordinated activity  
20 or is not provided in coordination with a  
21 candidate or a candidate’s agent or a per-  
22 son who is coordinating with a candidate  
23 or a candidate’s agent.”.

24 (b) DEFINITION OF EXPRESS ADVOCACY.—Section  
25 301 of the Federal Election Campaign Act of 1971 (2

1 U.S.C. 431) is amended by adding at the end the fol-  
2 lowing:

3 “(20) EXPRESS ADVOCACY.—

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

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

16 “(ii) referring to one or more clearly  
17 identified candidates in a paid advertise-  
18 ment that is transmitted through radio or  
19 television within 60 calendar days pre-  
20 ceding the date of an election of the can-  
21 didate and that appears in the State in  
22 which the election is occurring, except that  
23 with respect to a candidate for the office of  
24 Vice President or President, the time pe-

riod is within 60 calendar days preceding  
the date of a general election; or

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

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

“(i) presents information solely about  
the voting record or position on a cam-  
paign issue of one or more candidates (in-  
cluding any statement by the sponsor of  
the voting record or voting guide of its  
agreement or disagreement with the record  
or position of a candidate), so long as the  
voting record or voting guide when taken  
as a whole does not express unmistakable  
and unambiguous support for or opposition  
to one or more clearly identified can-  
didates;

“(ii) is not coordinated activity or is not made in coordination with a candidate, political party, or agent of the candidate or party, or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent, except that nothing in this clause may be construed to prevent the sponsor of the voting guide from directing questions in writing to a candidate about the candidate’s position on issues for purposes of preparing a voter guide or to prevent the candidate from responding in writing to such questions; and

“(iii) does not contain a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in (year)’, ‘vote against’, ‘defeat’, or ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates.”.

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



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

2 (2) in clause (ii), by striking the period at the

3 end and inserting “; and”; and

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

5 “(iii) a payment made by a political committee

6 for a communication that—

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

8 and

9 “(II) is for the purpose of influencing a

10 Federal election (regardless of whether the com-

11 munication is express advocacy).”.

12 **SEC. 202. EXPRESS ADVOCACY DETERMINED WITHOUT RE-**  
 13 **GARD TO BACKGROUND MUSIC.**

14 Section 301(20) of the Federal Election Campaign

15 Act of 1971 (2 U.S.C. 431(20)), as added by section

16 201(b), is amended by adding at the end the following new

17 subparagraph:

18 “(C) BACKGROUND MUSIC.—In deter-

19 mining whether any communication by tele-

20 vision or radio broadcast constitutes express ad-

21 vocacy for purposes of this Act, there shall not

22 be taken into account any background music

23 not including lyrics used in such broadcast.”.

1 **SEC. 203. CIVIL PENALTY.**

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

4 (1) in subsection (a)—

5 (A) in paragraph (4)(A)—

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

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

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

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

22 (2) in subsection (d)(1)—

23 (A) in subparagraph (A), by striking “Any  
24 person” and inserting “Except as provided in  
25 subparagraph (D), any person”; and

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

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

5       **SEC. 204. REPORTING REQUIREMENTS FOR CERTAIN INDE-**  
 6                               **PENDENT EXPENDITURES.**

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

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

11              (2) by redesignating paragraph (3) of sub-  
 12       section (c) as subsection (e); and

13              (3) by inserting after subsection (e), as redesign-  
 14       nated by paragraph (2), the following:

15       “(f) TIME FOR REPORTING CERTAIN EXPENDI-  
 16       TURES.—

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

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

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

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

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

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

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

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

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

9 **SEC. 205. INDEPENDENT VERSUS COORDINATED EXPENDI-**  
10 **TURES BY PARTY.**

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

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

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

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

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

24 “(B) CERTIFICATION.—Before making a coordi-  
25 nated expenditure under this subsection with respect

1 to a candidate, a committee of a political party shall  
2 file with the Commission a certification, signed by  
3 the treasurer of the committee, that the committee  
4 has not and shall not make any independent expend-  
5 iture with respect to the candidate during the same  
6 election cycle.

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

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

1 **SEC. 206. COORDINATION WITH CANDIDATES.**

2 (a) DEFINITION OF COORDINATION WITH CAN-  
3 DIDATES.—

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

7 (A) in subparagraph (A)—

8 (i) by striking “or” at the end of  
9 clause (i);

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

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(iii) coordinated activity (as defined  
15 in subparagraph (C)).”; and

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

17 “(C) COORDINATED ACTIVITY.—The term  
18 ‘coordinated activity’ means anything of value  
19 provided by a person in coordination with a  
20 candidate, an agent of the candidate, or the po-  
21 litical party of the candidate or its agent for the  
22 purpose of influencing a Federal election (re-  
23 gardless of whether the value being provided is  
24 a communication that is express advocacy) in  
25 which such candidate seeks nomination or elec-

tion to Federal office, and includes any of the following:

“(i) A payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate’s authorized committee, the political party of the candidate, or an agent acting on behalf of a candidate, authorized committee, or the political party of the candidate.

“(ii) A payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by a candidate, a candidate’s authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate’s defeat).

“(iii) A payment made by a person based on information about a candidate’s plans, projects, or needs provided to the



1 person making the payment by the can-  
2 didate or the candidate's agent who pro-  
3 vides the information with the intent that  
4 the payment be made.

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

12 “(v) A payment made by a person if  
13 the person making the payment has served  
14 in any formal policy making or advisory  
15 position with the candidate's campaign or  
16 has participated in formal strategic or for-  
17 mal policymaking discussions (other than  
18 any discussion treated as a lobbying con-  
19 tact under the Lobbying Disclosure Act of  
20 1995 in the case of a candidate holding  
21 Federal office or as a similar lobbying ac-  
22 tivity in the case of a candidate holding  
23 State or other elective office) with the can-  
24 didate's campaign relating to the can-  
25 didate's pursuit of nomination for election,

1 or election, to Federal office, in the same  
2 election cycle as the election cycle in which  
3 the payment is made.

4 “(vi) A payment made by a person if,  
5 in the same election cycle, the person mak-  
6 ing the payment retains the professional  
7 services of any person that has provided or  
8 is providing campaign-related services in  
9 the same election cycle to a candidate (in-  
10 cluding services provided through a polit-  
11 ical committee of the candidate’s political  
12 party) in connection with the candidate’s  
13 pursuit of nomination for election, or elec-  
14 tion, to Federal office, including services  
15 relating to the candidate’s decision to seek  
16 Federal office, and the person retained is  
17 retained to work on activities relating to  
18 that candidate’s campaign.

19 “(vii) A payment made by a person  
20 who has directly participated in fund-  
21 raising activities with the candidate or in  
22 the solicitation or receipt of contributions  
23 on behalf of the candidate.

24 “(viii) A payment made by a person  
25 who has communicated with the candidate

1 or an agent of the candidate (including a  
2 communication through a political com-  
3 mittee of the candidate’s political party)  
4 after the declaration of candidacy (includ-  
5 ing a pollster, media consultant, vendor,  
6 advisor, or staff member acting on behalf  
7 of the candidate), about advertising mes-  
8 sage, allocation of resources, fundraising,  
9 or other campaign matters related to the  
10 candidate’s campaign, including campaign  
11 operations, staffing, tactics, or strategy.

12 “(ix) The provision of in-kind profes-  
13 sional services or polling data (including  
14 services or data provided through a polit-  
15 ical committee of the candidate’s political  
16 party) to the candidate or candidate’s  
17 agent.

18 “(x) A payment made by a person  
19 who has engaged in a coordinated activity  
20 with a candidate described in clauses (i)  
21 through (ix) for a communication that  
22 clearly refers to the candidate or the can-  
23 didate’s opponent and is for the purpose of  
24 influencing that candidates’s election (re-

1            regardless of whether the communication is  
2            express advocacy).

3            “(D) PROFESSIONAL SERVICES.—For pur-  
4            poses of subparagraph (C), the term ‘profes-  
5            sional services’ means polling, media advice,  
6            fundraising, campaign research or direct mail  
7            (except for mailhouse services solely for the dis-  
8            tribution of voter guides as defined in section  
9            301(20)(B)) services in support of a candidate’s  
10          pursuit of nomination for election, or election,  
11          to Federal office.

12          “(E) AGGREGATION.—For purposes of  
13          subparagraph (C), all political committees es-  
14          tablished and maintained by a national political  
15          party (including all congressional campaign  
16          committees) and all political committees estab-  
17          lished and maintained by a State political party  
18          (including any subordinate committee of a State  
19          committee) shall be considered to be a single  
20          political committee.”.

21          (2) SECTION 315(a)(7).—Section 315(a)(7) of  
22          the Federal Election Campaign Act of 1971 (2  
23          U.S.C. 441a(a)(7)) is amended by striking subpara-  
24          graph (B) and inserting the following:

1 “(B) a coordinated activity, as described in  
 2 section 301(8)(C), shall be considered to be a  
 3 contribution to the candidate, and in the case  
 4 of a limitation on expenditures, shall be treated  
 5 as an expenditure by the candidate; and”.

6 (b) MEANING OF CONTRIBUTION OR EXPENDITURE  
 7 FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2)  
 8 of the Federal Election Campaign Act of 1971 (2 U.S.C.  
 9 441b(b)) is amended by striking “shall include” and in-  
 10 serting “includes a contribution or expenditure, as those  
 11 terms are defined in section 301, and also includes”.

## 12 **TITLE III—DISCLOSURE**

### 13 **SEC. 301. AUDITS.**

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

17 (1) by striking “(b) The Commission” and in-  
 18 serting the following:

19 “(b) AUDITS.—

20 “(1) IN GENERAL.—The Commission”; and

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

22 “(2) RANDOM AUDITS.—

23 “(A) IN GENERAL.—Notwithstanding para-  
 24 graph (1), the Commission may conduct ran-  
 25 dom audits and investigations to ensure vol-

1           untary compliance with this Act. The selection  
 2           of any candidate for a random audit or inves-  
 3           tigation shall be based on criteria adopted by a  
 4           vote of at least four members of the Commis-  
 5           sion.

6           “(B) LIMITATION.—The Commission shall  
 7           not conduct an audit or investigation of a can-  
 8           didate’s authorized committee under subpara-  
 9           graph (A) until the candidate is no longer a  
 10          candidate for the office sought by the candidate  
 11          in an election cycle.

12          “(C) APPLICABILITY.—This paragraph  
 13          does not apply to an authorized committee of a  
 14          candidate for President or Vice President sub-  
 15          ject to audit under section 9007 or 9038 of the  
 16          Internal Revenue Code of 1986.”.

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

22          **SEC. 302. REPORTING REQUIREMENTS FOR CONTRIBU-**  
 23          **TIONS OF \$50 OR MORE.**

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

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

3           (2) by striking the semicolon and inserting “,  
4       except that in the case of a person who makes con-  
5       tributions aggregating at least \$50 but not more  
6       than \$200 during the calendar year, the identifica-  
7       tion need include only the name and address of the  
8       person;”.

9   **SEC. 303. USE OF CANDIDATES’ NAMES.**

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

13       “(4) NAME OF COMMITTEE.—

14           “(A) AUTHORIZED COMMITTEE.—The name of  
15       each authorized committee shall include the name of  
16       the candidate who authorized the committee under  
17       paragraph (1).

18           “(B) OTHER POLITICAL COMMITTEES.—A polit-  
19       ical committee that is not an authorized committee  
20       shall not—

21           “(i) include the name of any candidate in  
22       its name; or

23           “(ii) except in the case of a national,  
24       State, or local party committee, use the name  
25       of any candidate in any activity on behalf of the

1           committee in such a context as to suggest that  
 2           the committee is an authorized committee of  
 3           the candidate or that the use of the candidate's  
 4           name has been authorized by the candidate.”.

5   **SEC. 304. PROHIBITION OF FALSE REPRESENTATION TO**  
 6                           **SOLICIT CONTRIBUTIONS.**

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

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

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

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

16   **SEC. 305. CAMPAIGN ADVERTISING.**

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

19          (1) in subsection (a)—

20                  (A) in the matter preceding paragraph

21          (1)—

22                          (i) by striking “Whenever” and insert-  
 23                          ing “Whenever a political committee makes  
 24                          a disbursement for the purpose of financ-  
 25                          ing any communication through any broad-



1           casting station, newspaper, magazine, out-  
 2           door advertising facility, mailing, or any  
 3           other type of general public political adver-  
 4           tising, or whenever”;

5                   (ii) by striking “an expenditure” and  
 6           inserting “a disbursement”; and

7                   (iii) by striking “direct”; and

8           (B) in paragraph (3), by inserting “and  
 9           permanent street address” after “name”; and  
 10          (2) by adding at the end the following:

11          “(c) SPECIFICATION.—Any printed communication  
 12          described in subsection (a) shall—

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

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

17                  “(3) be printed with a reasonable degree of  
 18          color contrast between the background and the  
 19          printed statement.

20          “(d) ADDITIONAL REQUIREMENTS.—

21                  “(1) AUDIO STATEMENT.—

22                          “(A) CANDIDATE.—Any communication  
 23                  described in paragraphs (1) or (2) of subsection  
 24                  (a) which is transmitted through radio or tele-  
 25                  vision shall include, in addition to the require-

1           ments of that paragraph, an audio statement by  
2           the candidate that identifies the candidate and  
3           states that the candidate has approved the com-  
4           munication.

5           “(B) OTHER PERSONS.—Any communica-  
6           tion described in paragraph (3) of subsection  
7           (a) which is transmitted through radio or tele-  
8           vision shall include, in addition to the require-  
9           ments of that paragraph, in a clearly spoken  
10          manner,       the       following       statement:

11          ‘\_\_\_\_\_ is responsible for the con-  
12          tent of this advertisement.’ (with the blank to  
13          be filled in with the name of the political com-  
14          mittee or other person paying for the commu-  
15          nication and the name of any connected organi-  
16          zation of the payor). If transmitted through tel-  
17          evision, the statement shall also appear in a  
18          clearly readable manner with a reasonable de-  
19          gree of color contrast between the background  
20          and the printed statement, for a period of at  
21          least 4 seconds.”.

22          “(2) TELEVISION.—If a communication de-  
23          scribed in paragraph (1)(A) is transmitted through  
24          television, the communication shall include, in addi-

1       tion to the audio statement under paragraph (1), a  
2       written statement that—

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

8               “(B) is accompanied by a clearly identifi-  
9               able photographic or similar image of the can-  
10              didate.”.

## 11       **TITLE IV—MISCELLANEOUS**

### 12   **SEC. 401. CODIFICATION OF BECK DECISION.**

13       Section 8 of the National Labor Relations Act (29  
14   U.S.C. 158) is amended by adding at the end the fol-  
15   lowing:

16       “(h) NONUNION MEMBER PAYMENTS TO LABOR OR-  
17   GANIZATION.—

18               “(1) IN GENERAL.—It shall be an unfair labor  
19       practice for any labor organization which receives a  
20       payment from an employee pursuant to an agree-  
21       ment that requires employees who are not members  
22       of the organization to make payments to such orga-  
23       nization in lieu of organization dues or fees not to  
24       establish and implement the objection procedure de-  
25       scribed in paragraph (2).

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

4                   “(A) The labor organization shall annually  
5                   provide to employees who are covered by such  
6                   agreement but are not members of the  
7                   organization—

8                           “(i) reasonable personal notice of the  
9                           objection procedure, a list of the employees  
10                          eligible to invoke the procedure, and the  
11                          time, place, and manner for filing an objec-  
12                          tion; and

13                           “(ii) reasonable opportunity to file an  
14                          objection to paying for organization ex-  
15                          penditures supporting political activities  
16                          unrelated to collective bargaining, includ-  
17                          ing but not limited to the opportunity to  
18                          file such objection by mail.

19                   “(B) If an employee who is not a member  
20                   of the labor organization files an objection  
21                   under the procedure in subparagraph (A), such  
22                   organization shall—

23                           “(i) reduce the payments in lieu of or-  
24                          ganization dues or fees by such employee  
25                          by an amount which reasonably reflects the

ratio that the organization's expenditures supporting political activities unrelated to collective bargaining bears to such organization's total expenditures; and

“(ii) provide such employee with a reasonable explanation of the organization's calculation of such reduction, including calculating the amount of organization expenditures supporting political activities unrelated to collective bargaining.

“(3) DEFINITION.—In this subsection, the term ‘expenditures supporting political activities unrelated to collective bargaining’ means expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.”.

**SEC. 402. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.**

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

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

“(a) PERMITTED USES.—A contribution accepted by a candidate, and any other amount received by an indi-

1   vidual as support for activities of the individual as a holder  
 2   of Federal office, may be used by the candidate or  
 3   individual—

4           “(1) for expenditures in connection with the  
 5       campaign for Federal office of the candidate or indi-  
 6       vidual;

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

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

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

15       “(b) PROHIBITED USE.—

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

19           “(2) CONVERSION.—For the purposes of para-  
 20       graph (1), a contribution or amount shall be consid-  
 21       ered to be converted to personal use if the contribu-  
 22       tion or amount is used to fulfill any commitment,  
 23       obligation, or expense of a person that would exist  
 24       irrespective of the candidate’s election campaign or

1 individual's duties as a holder of Federal office-  
 2 holder, including—

3 “(A) a home mortgage, rent, or utility pay-  
 4 ment;

5 “(B) a clothing purchase;

6 “(C) a noncampaign-related automobile ex-  
 7 pense;

8 “(D) a country club membership;

9 “(E) a vacation or other noncampaign-re-  
 10 lated trip;

11 “(F) a household food item;

12 “(G) a tuition payment;

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

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

18 **SEC. 403. LIMIT ON CONGRESSIONAL USE OF THE FRANK-**  
 19 **ING PRIVILEGE.**

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

23 “(A) A Member of Congress shall not mail  
 24 any mass mailing as franked mail during the  
 25 180-day period which ends on the date of the

1           general election for the office held by the Mem-  
 2           ber or during the 90-day period which ends on  
 3           the date of any primary election for that office,  
 4           unless the Member has made a public an-  
 5           nouncement that the Member will not be a can-  
 6           didate for reelection during that year or for  
 7           election to any other Federal office.”.

8   **SEC. 404. PROHIBITION OF FUNDRAISING ON FEDERAL**  
 9                           **PROPERTY.**

10       Section 607 of title 18, United States Code, is  
 11   amended—

12           (1) by striking subsection (a) and inserting the  
 13   following:

14       “(a) PROHIBITION.—

15           “(1) IN GENERAL.—It shall be unlawful for any  
 16   person to solicit or receive a donation of money or  
 17   other thing of value in connection with a Federal,  
 18   State, or local election from a person who is located  
 19   in a room or building occupied in the discharge of  
 20   official duties by an officer or employee of the  
 21   United States. An individual who is an officer or  
 22   employee of the Federal Government, including the  
 23   President, Vice President, and Members of Con-  
 24   gress, shall not solicit a donation of money or other  
 25   thing of value in connection with a Federal, State,



1 or local election while in any room or building occu-  
 2 pied in the discharge of official duties by an officer  
 3 or employee of the United States, from any person.

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

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

9 **SEC. 405. PENALTIES FOR VIOLATIONS.**

10 (a) INCREASED PENALTIES.—Section 309(a) of the  
 11 Federal Election Campaign Act of 1971 (2 U.S.C.  
 12 437g(a)) is amended—

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

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

19 (b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of  
 20 the Federal Election Campaign Act of 1971 (2 U.S.C.  
 21 437g(a)(5)) is amended by striking the period at the end  
 22 and inserting “, and may include equitable remedies or  
 23 penalties, including disgorgement of funds to the Treasury  
 24 or community service requirements (including require-  
 25 ments to participate in public education programs).”.

1 **SEC. 406. STRENGTHENING FOREIGN MONEY BAN.**

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

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

7 (2) by striking subsection (a) and inserting the  
 8 following:

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

10 “(1) a foreign national, directly or indirectly, to  
 11 make—

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

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

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

20 (b) PROHIBITING USE OF WILLFUL BLINDNESS AS  
 21 DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN  
 22 CONTRIBUTION BAN.—

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

1 (A) by redesignating subsection (b) as sub-  
 2 section (c); and

3 (B) by inserting after subsection (a) the  
 4 following new subsection:

5 “(b) PROHIBITING USE OF WILLFUL BLINDNESS  
 6 DEFENSE.—It shall not be a defense to a violation of sub-  
 7 section (a) that the defendant did not know that the con-  
 8 tribution originated from a foreign national if the defend-  
 9 ant should have known that the contribution originated  
 10 from a foreign national, except that the trier of fact may  
 11 not find that the defendant should have known that the  
 12 contribution originated from a foreign national solely be-  
 13 cause of the name of the contributor.”.

14 (2) EFFECTIVE DATE.—The amendments made  
 15 by this subsection shall apply with respect to viola-  
 16 tions occurring on or after the date of enactment of  
 17 this Act.

18 **SEC. 407. PROHIBITION OF CONTRIBUTIONS BY MINORS.**

19 Title III of the Federal Election Campaign Act of  
 20 1971 (2 U.S.C. 431 et seq.), as amended by section 101,  
 21 is amended by adding at the end the following:

22 **“SEC. 324. PROHIBITION OF CONTRIBUTIONS BY MINORS.**

23 “An individual who is 17 years old or younger shall  
 24 not make a contribution to a candidate or a contribution  
 25 or donation to a committee of a political party.”.

1 **SEC. 408. EXPEDITED PROCEDURES.**

2 (a) IN GENERAL.—Section 309(a) of the Federal  
3 Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is  
4 amended by adding at the end the following:

5 “(13) EXPEDITED PROCEDURE.—

6 “(A) IN GENERAL.—If the complaint in a pro-  
7 ceeding was filed within 60 days preceding the date  
8 of a general election, the Commission may take ac-  
9 tion described in this subparagraph.

10 “(B) CLEAR AND CONVINCING EVIDENCE EX-  
11 ISTS.—If the Commission determines, on the basis  
12 of facts alleged in the complaint and other facts  
13 available to the Commission, that there is clear and  
14 convincing evidence that a violation of this Act has  
15 occurred, is occurring, or is about to occur, the  
16 Commission may order expedited proceedings, short-  
17 ening the time periods for proceedings under para-  
18 graphs (1), (2), (3), and (4) as necessary to allow  
19 the matter to be resolved in sufficient time before  
20 the election to avoid harm or prejudice to the inter-  
21 ests of the parties.

22 “(C) COMPLAINT WITHOUT MERIT.—If the  
23 Commission determines, on the basis of facts alleged  
24 in the complaint and other facts available to the  
25 Commission, that the complaint is clearly without  
26 merit, the Commission may—

1           “(i) order expedited proceedings, shortening the  
 2           time periods for proceedings under paragraphs (1),  
 3           (2), (3), and (4) as necessary to allow the matter to  
 4           be resolved in sufficient time before the election to  
 5           avoid harm or prejudice to the interests of the par-  
 6           ties; or

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

10          (b) REFERRAL TO ATTORNEY GENERAL.—Section  
 11          309(a)(5) of the Federal Election Campaign Act of 1971  
 12          (2 U.S.C. 437g(a)(5)) is amended by striking subpara-  
 13          graph (C) and inserting the following:

14          “(C) REFERRAL TO ATTORNEY GENERAL.—The  
 15          Commission may at any time, by an affirmative vote of  
 16          at least 4 of its members, refer a possible violation of this  
 17          Act or chapter 95 or 96 of the Internal Revenue Code  
 18          of 1986, to the Attorney General of the United States,  
 19          without regard to any limitation set forth in this section.”.

20          **SEC. 409. INITIATION OF ENFORCEMENT PROCEEDING.**

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

1 **SEC. 410. PROTECTING EQUAL PARTICIPATION OF ELIGI-**  
2 **BLE VOTERS IN CAMPAIGNS AND ELECTIONS.**

3 Title III of the Federal Election Campaign Act of  
4 1971 (2 U.S.C. 431 et seq.), as amended by sections 101  
5 and 407, is amended by adding at the end the following:

6 **“SEC. 325. PROTECTING EQUAL PARTICIPATION OF ELIGI-**  
7 **BLE VOTERS IN CAMPAIGNS AND ELECTIONS.**

8 “(a) IN GENERAL.—Nothing in this Act may be con-  
9 strued to prohibit any individual eligible to vote in an elec-  
10 tion for Federal office from making contributions or ex-  
11 penditures in support of a candidate for such an election  
12 (including voluntary contributions or expenditures made  
13 through a separate segregated fund established by the in-  
14 dividual’s employer or labor organization) or otherwise  
15 participating in any campaign for such an election in the  
16 same manner and to the same extent as any other indi-  
17 vidual eligible to vote in an election for such office.

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

1 **SEC. 411. PENALTY FOR VIOLATION OF PROHIBITION**  
2 **AGAINST FOREIGN CONTRIBUTIONS.**

3 (a) IN GENERAL.—Section 319 of the Federal Elec-  
4 tion Campaign Act of 1971 (2 U.S.C. 441e), as amended  
5 by section 406(b), is amended—

6 (1) by redesignating subsection (c) as sub-  
7 section (d); and

8 (2) by inserting after subsection (b) the fol-  
9 lowing:

10 “(c) PENALTY.—

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

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

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

1 **SEC. 412. EXPEDITED COURT REVIEW OF CERTAIN AL-**  
 2 **LEGED VIOLATIONS OF FEDERAL ELECTION**  
 3 **CAMPAIGN ACT OF 1971.**

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

6 (1) by redesignating subsection (d) as sub-  
 7 section (e); and

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

10 “(d) PRIVATE ACTION.—

11 “(1) IN GENERAL.—Notwithstanding any other  
 12 provision of this section, if a candidate (or the can-  
 13 didate’s authorized committee) believes that a viola-  
 14 tion described in paragraph (2) has been committed  
 15 with respect to an election during the 90-day period  
 16 preceding the date of the election, the candidate or  
 17 committee may institute a civil action on behalf of  
 18 the Commission for relief (including injunctive relief)  
 19 against the alleged violator in the same manner and  
 20 under the same terms and conditions as an action  
 21 instituted by the Commission under subsection  
 22 (a)(6), except that the court involved shall issue a  
 23 decision regarding the action as soon as practicable  
 24 after the action is instituted and to the greatest ex-  
 25 tent possible issue the decision prior to the date of  
 26 the election involved.



1           “(2) VIOLATIONS.—A violation described in this  
 2           paragraph is a violation of this Act or of chapter 95  
 3           or chapter 96 of the Internal Revenue Code of 1986  
 4           relating to—

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

8                   “(B) whether an expenditure is an inde-  
 9                   pendent expenditure under section 301(17).”.

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

13      **SEC. 413. CONSPIRACY TO VIOLATE PRESIDENTIAL CAM-**  
 14                   **PAIGN SPENDING LIMITS.**

15          (a) IN GENERAL.—Section 9003 of the Internal Rev-  
 16          enue Code of 1986 (relating to condition for eligibility for  
 17          payments) is amended by adding at the end the following:

18               “(f) PROHIBITING CONSPIRACY TO VIOLATE LIM-  
 19          ITS.—

20                   “(1) VIOLATION OF LIMITS DESCRIBED.—If a  
 21                   candidate for election to the office of President or  
 22                   Vice President who receives amounts from the Presi-  
 23                   dential Election Campaign Fund under chapter 95  
 24                   or 96 of the Internal Revenue Code of 1986, or the  
 25                   agent of such a candidate, seeks to avoid the spend-

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

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

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

19       **SEC. 414. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DO-**  
 20               **NATIONS IN TREASURY ACCOUNT.**

21       (a) IN GENERAL.—Title III of the Federal Election  
 22       Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended  
 23       by sections 101, 407, and 410, is amended by adding at  
 24       the end the following:

1 **“SEC. 326. TREATMENT OF CERTAIN CONTRIBUTIONS AND**  
 2 **DONATIONS RETURNED TO DONORS.**

3 “(a) TRANSFER TO COMMISSION.—

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

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

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

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

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

25 “(B) information regarding the cir-  
 26 cumstances surrounding the making of the con-

1           tribution or donation and any opinion of the po-  
 2           litical committee concerning whether the con-  
 3           tribution or donation may have been made in  
 4           violation of this Act.

5           “(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

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

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

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

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

21               “(C) USE OF INTEREST.—Interest earned  
 22           on amounts in the escrow account established  
 23           under subparagraph (A) shall be applied or  
 24           used for the same purposes as the donation or  
 25           contribution on which it is earned.

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

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

13          “(c) RETURN OF CONTRIBUTION OR DONATION  
 14          AFTER DEPOSIT IN ESCROW.—

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

19                         “(A) within 180 days after the date the  
 20          contribution or donation is transferred, the  
 21          Commission has not made a determination  
 22          under section 309(a)(2) that the Commission  
 23          has reason to investigate whether that the mak-  
 24          ing of the contribution or donation was made in  
 25          violation of this Act; or

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

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

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

19          (b) AMOUNTS USED TO DETERMINE AMOUNT OF  
 20          PENALTY FOR VIOLATION.—Section 309(a) of the Federal  
 21          Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is  
 22          amended by inserting after paragraph (9) the following:  
 23          “(10) AMOUNT OF DONATION.—For purposes of de-  
 24          termining the amount of a civil penalty imposed under this  
 25          subsection for violations of section 326, the amount of the

1 donation involved shall be treated as the amount of the  
2 contribution involved.”.

3 (c) DISGORGEMENT AUTHORITY.—Section 309 of the  
4 Federal Election Campaign Act of 1971 (2 U.S.C. 437g),  
5 as amended by section 412(a), is amended by adding at  
6 the end the following:

7 “(f) DEPOSIT IN ESCROW.—Any conciliation agree-  
8 ment, civil action, or criminal action entered into or insti-  
9 tuted under this section may require a person to forfeit  
10 to the Treasury any contribution, donation, or expenditure  
11 that is the subject of the agreement or action for transfer  
12 to the Commission for deposit in accordance with section  
13 326.”.

14 (d) EFFECTIVE DATE.—The amendments made by  
15 subsections (a) and (b) shall apply to contributions or do-  
16 nations refunded on or after the date of enactment of this  
17 Act, without regard to whether the Federal Election Com-  
18 mission or Attorney General has issued regulations to  
19 carry out section 326 of the Federal Election Campaign  
20 Act of 1971 (as added by subsection (a)) by such date.

21 **SEC. 415. ESTABLISHMENT OF A CLEARINGHOUSE OF IN-**  
22 **FORMATION ON POLITICAL ACTIVITIES WITH-**  
23 **IN THE FEDERAL ELECTION COMMISSION.**

24 (a) ESTABLISHMENT.—There shall be established  
25 within the Federal Election Commission a clearinghouse

1 of public information regarding the political activities of  
2 foreign principals and agents of foreign principals. The in-  
3 formation comprising this clearinghouse shall include only  
4 the following:

5 (1) All registrations and reports filed pursuant  
6 to the Lobbying Disclosure Act of 1995 (2 U.S.C.  
7 1601 et seq.) during the preceding 5-year period.

8 (2) All registrations and reports filed pursuant  
9 to the Foreign Agents Registration Act (22 U.S.C.  
10 611 et seq.) during the preceding 5-year period.

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

15 (4) Public information disclosed pursuant to the  
16 rules of the Senate or the House of Representatives  
17 regarding honoraria, the receipt of gifts, travel, and  
18 earned and unearned income.

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

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



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

6 (c) DIRECTOR OF CLEARINGHOUSE.—

7 (1) DUTIES.—The clearinghouse shall have a  
8 Director, who shall administer and manage the re-  
9 sponsibilities and all activities of the clearinghouse.  
10 In carrying out such duties, the Director shall—

11 (A) develop a filing, coding, and cross-in-  
12 dexing system to carry out the purposes of this  
13 section (which shall include an index of all per-  
14 sons identified in the reports, registrations, and  
15 other information comprising the clearing-  
16 house);

17 (B) notwithstanding any other provision of  
18 law, make copies of registrations, reports, and  
19 other information comprising the clearinghouse  
20 available for public inspection and copying, be-  
21 ginning not later than 30 days after the infor-  
22 mation is first available to the public, and per-  
23 mit copying of any such registration, report, or  
24 other information by hand or by copying ma-  
25 chine or, at the request of any person, furnish

1 a copy of any such registration, report, or other  
 2 information upon payment of the cost of mak-  
 3 ing and furnishing such copy, except that no in-  
 4 formation contained in such registration or re-  
 5 port and no such other information shall be  
 6 sold or used by any person for the purpose of  
 7 soliciting contributions or for any profit-making  
 8 purpose; and

9 (C) not later than 150 days after the date  
 10 of enactment of this Act and at any time there-  
 11 after, to prescribe, in consultation with the  
 12 Comptroller General, such rules, regulations,  
 13 and forms, in conformity with the provisions of  
 14 chapter 5 of title 5, United States Code, as are  
 15 necessary to carry out the provisions of this  
 16 section in the most effective and efficient man-  
 17 ner.

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

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

23 (d) PENALTIES FOR DISCLOSURE OF INFORMA-  
 24 TION.—Any person who discloses information in violation  
 25 of subsection (b), and any person who sells or uses infor-

1 mation for the purpose of soliciting contributions or for  
 2 any profit-making purpose in violation of subsection  
 3 (c)(1)(B), shall be imprisoned for a period of not more  
 4 than 1 year, or fined in the amount provided in title 18,  
 5 United States Code, or both.

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

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

14 **SEC. 416. ENFORCEMENT OF SPENDING LIMIT ON PRESI-**  
 15 **DENTIAL AND VICE PRESIDENTIAL CAN-**  
 16 **DIDATES WHO RECEIVE PUBLIC FINANCING.**

17 (a) IN GENERAL.—Section 9003 of the Internal Rev-  
 18 enue Code of 1986, as amended by section 413, is amend-  
 19 ed by adding at the end the following:

20 “(g) ILLEGAL SOLICITATION OF SOFT MONEY.—No  
 21 candidate for election to the office of President or Vice  
 22 President may receive amounts from the Presidential  
 23 Election Campaign Fund under this chapter or chapter  
 24 96 unless the candidate certifies that the candidate shall  
 25 not solicit any funds for the purposes of influencing such

1 election, including any funds used for an independent ex-  
 2 penditure under the Federal Election Campaign Act of  
 3 1971, unless the funds are subject to the limitations, pro-  
 4 hibitions, and reporting requirements of the Federal Elec-  
 5 tion Campaign Act of 1971.”.

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

9 **SEC. 417. CLARIFICATION OF RIGHT OF NATIONALS OF THE**  
 10 **UNITED STATES TO MAKE POLITICAL CON-**  
 11 **TRIBUTIONS.**

12 Section 319(d)(2) of the Federal Election Campaign  
 13 Act of 1971 (2 U.S.C. 441e(d)(2)), as amended by sec-  
 14 tions 506(b) and 511(a), is further amended by inserting  
 15 after “United States” the following: “or a national of the  
 16 United States (as defined in section 101(a)(22) of the Im-  
 17 migration and Nationality Act)”.

18 **SEC. 418. PROHIBITING USE OF WHITE HOUSE MEALS AND**  
 19 **ACCOMMODATIONS FOR POLITICAL FUND-**  
 20 **RAISING.**

21 (a) IN GENERAL.—Chapter 29 of title 18, United  
 22 States Code, is amended by adding at the end the fol-  
 23 lowing new section:

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

3 “(a) It shall be unlawful for any person to provide  
 4 or offer to provide any meals or accommodations at the  
 5 White House in exchange for any money or other thing  
 6 of value, or as a reward for the provision of any money  
 7 or other thing of value, in support of any political party  
 8 or the campaign for electoral office of any candidate.

9 “(b) Any person who violates this section shall be  
 10 fined under this title or imprisoned not more than 3 years,  
 11 or both.

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

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

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

19 **SEC. 419. PROHIBITION AGAINST ACCEPTANCE OR SOLICI-**  
 20 **TATION TO OBTAIN ACCESS TO CERTAIN FED-**  
 21 **ERAL GOVERNMENT PROPERTY.**

22 (a) IN GENERAL.—Chapter 11 of title 18, United  
 23 States Code, is amended by adding at the end the fol-  
 24 lowing new section:

1 **“§ 226. Acceptance or solicitation to obtain access to**  
 2 **certain Federal Government property**

3 “Whoever solicits or receives anything of value in con-  
 4 sideration of providing a person with access to Air Force  
 5 One, Marine One, Air Force Two, Marine Two, the White  
 6 House, or the Vice President’s residence, shall be fined  
 7 under this title, or imprisoned not more than one year,  
 8 or both.”.

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

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

12 **SEC. 420. REQUIRING NATIONAL PARTIES TO REIMBURSE**  
 13 **AT COST FOR USE OF AIR FORCE ONE FOR**  
 14 **POLITICAL FUNDRAISING.**

15 Title III of the Federal Election Campaign Act of  
 16 1971 (2 U.S.C. 431 et seq.), as amended by sections 101,  
 17 407, 410, and 415, is amended by adding at the end the  
 18 following:

19 **“SEC. 327. REIMBURSEMENT BY POLITICAL PARTIES FOR**  
 20 **USE OF AIR FORCE ONE FOR POLITICAL**  
 21 **FUNDRAISING.**

22 “(a) IN GENERAL.—If the President, Vice President,  
 23 or the head of any executive department (as defined in  
 24 section 101 of title 5, United States Code) uses Air Force

1 One for transportation for any travel which includes a  
 2 fundraising event for the benefit of any political committee  
 3 of a national political party, such political committee shall  
 4 reimburse the Federal Government for the fair market  
 5 value of the transportation of the individual involved,  
 6 based on the cost of an equivalent commercial chartered  
 7 flight.

8 “(b) AIR FORCE ONE DEFINED.—In subsection (a),  
 9 the term ‘Air Force One’ means the airplane operated by  
 10 the Air Force which has been specially configured to carry  
 11 out the mission of transporting the President.”.

12 **SEC. 421. ENHANCING ENFORCEMENT OF CAMPAIGN FI-**  
 13 **NANCE LAW.**

14 (a) MANDATORY IMPRISONMENT FOR CRIMINAL  
 15 CONDUCT.—Section 309(e)(1)(A) of the Federal Election  
 16 Campaign Act of 1971 (2 U.S.C. 437g(e)(1)(A)), as redes-  
 17 ignated by section 412, is amended—

18 (1) in the first sentence, by striking “shall be  
 19 fined, or imprisoned for not more than one year, or  
 20 both” and inserting “shall be imprisoned for not  
 21 fewer than 1 year and not more than 10 years”; and

22 (2) by striking the second sentence.

23 (b) CONCURRENT AUTHORITY OF ATTORNEY GEN-  
 24 ERAL TO BRING CRIMINAL ACTIONS.—Section 309(e) of  
 25 the Federal Election Campaign Act of 1971 (2 U.S.C.

1 437g(d)), as so redesignated, is amended by adding at the  
 2 end the following:

3 “(4) ATTORNEY GENERAL ACTION.—In addition to  
 4 the authority to bring cases referred pursuant to sub-  
 5 section (a)(5), the Attorney General may at any time bring  
 6 a criminal action for a violation of this Act or of chapter  
 7 95 or chapter 96 of the Internal Revenue Code of 1986.”.

8 (c) EFFECTIVE DATE.—The amendments made by  
 9 this section shall apply with respect to actions brought  
 10 with respect to elections occurring after January 2001.

11 **SEC. 422. BAN ON COORDINATION OF SOFT MONEY FOR**  
 12 **ISSUE ADVOCACY BY PRESIDENTIAL CAN-**  
 13 **DIDATES RECEIVING PUBLIC FINANCING.**

14 (a) IN GENERAL.—Section 9003 of the Internal Rev-  
 15 enue Code of 1986, as amended by section 416, is amend-  
 16 ed by adding at the end the following:

17 “(h) BAN ON COORDINATION OF SOFT MONEY FOR  
 18 ISSUE ADVOCACY.—

19 “(1) IN GENERAL.—No candidate for election  
 20 to the office of President or Vice President who is  
 21 certified to receive amounts from the Presidential  
 22 Election Campaign Fund under this chapter or  
 23 chapter 96 may coordinate the expenditure of any  
 24 funds for issue advocacy with any political party un-  
 25 less the funds are subject to the limitations, prohibi-



1        tions, and reporting requirements of the Federal  
2        Election Campaign Act of 1971.

3            “(2) ISSUE ADVOCACY DEFINED.—In this sec-  
4        tion, the term ‘issue advocacy’ means any activity  
5        carried out for the purpose of influencing the consid-  
6        eration or outcome of any Federal legislation or the  
7        issuance or outcome of any Federal regulations, or  
8        educating individuals about candidates for election  
9        for Federal office or any Federal legislation, law, or  
10       regulations (without regard to whether the activity is  
11       carried out for the purpose of influencing any elec-  
12       tion for Federal office).”.

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

16       **SEC. 423. REQUIREMENT THAT NAMES OF PASSENGERS ON**  
17                                **AIR FORCE ONE AND AIR FORCE TWO BE**  
18                                **MADE AVAILABLE THROUGH THE INTERNET.**

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

1 (b) EXCEPTION.—Subsection (a) shall not apply in  
 2 a case in which the President determines that compliance  
 3 with such subsection would be contrary to the national se-  
 4 curity interests of the United States. In any such case,  
 5 not later than 30 days after the date that the person  
 6 whose name will not be made available through the Inter-  
 7 net was a passenger on the aircraft, the President shall  
 8 submit to the chairman and ranking member of the Per-  
 9 manent Select Committee on Intelligence of the House of  
 10 Representatives and of the Select Committee on Intel-  
 11 ligence of the Senate—

12 (1) the name of the person; and

13 (2) the justification for not making such name  
 14 available through the Internet.

15 (c) DEFINITION OF PERSON.—As used in this sec-  
 16 tion, the term “non-Government person” means a person  
 17 who is not an officer or employee of the United States,  
 18 a member of the Armed Forces, or a Member of Congress.

## 19 **TITLE V—ELECTION ADMINIS-** 20 **TRATION AND TECHNOLOGY**

### 21 **SEC. 501. FINDINGS.**

22 Congress makes the following findings:

23 (1) The right to vote is a fundamental and in-  
 24 controvertible right under the Constitution.

1           (2) There is a need for Congress to encourage  
2           and enable every eligible American to vote by re-  
3           affirming that the right to vote is a fundamental  
4           right under the Constitution.

5           (3) There is a need for Congress to encourage  
6           and enable every eligible American to vote by re-  
7           affirming that the United States is a democratic  
8           government “of the people, by the people and for  
9           the people” where every vote counts.

10          (4) There is a need for Congress to encourage  
11          and enable every eligible American to vote by elimi-  
12          nating procedural and technological obstacles to vot-  
13          ing.

14          (5) State governments have already begun to  
15          examine ways to improve the administration of elec-  
16          tions and to modernize mechanisms and machinery  
17          for voting.

18          (6) Congress has authority under section 5 of  
19          the Fourteenth Amendment to the Constitution of  
20          the United States to enact legislation to address the  
21          equal protection violations that may be caused by  
22          our current, outdated voting system.

23          (7) Congress has an obligation to ensure that  
24          the necessary resources are available to States and  
25          localities to improve election technology and election

1 administration and to ensure the integrity of the  
 2 democratic elections process.

3 **Subtitle A—Establishment of Com-**  
 4 **mission on Voting Rights and**  
 5 **Procedures**

6 **SEC. 511. ESTABLISHMENT.**

7 There is established the Commission on Voting  
 8 Rights and Procedures (in this subtitle referred to as the  
 9 “Commission”).

10 **SEC. 512. MEMBERSHIP OF THE COMMISSION.**

11 (a) NUMBER AND APPOINTMENT.—The Commission  
 12 shall be composed of 12 members of whom—

13 (1) 6 members shall be appointed by the Presi-  
 14 dent;

15 (2) 3 members shall be appointed by the Minor-  
 16 ity Leader of the Senate (or, if the Minority Leader  
 17 is a member of the same political party as the Presi-  
 18 dent, by the Majority Leader of the Senate); and

19 (3) 3 members shall be appointed by the Minor-  
 20 ity Leader of the House of Representatives (or, if  
 21 the Minority Leader is a member of the same polit-  
 22 ical party as the President, by the Majority Leader  
 23 of the House of Representatives).

24 (b) QUALIFICATIONS.—Each member appointed  
 25 under subsection (a) shall be chosen on the basis of—

- 1 (1) experience with, and knowledge of—
- 2 (A) election law;
- 3 (B) election technology;
- 4 (C) Federal, State, or local election admin-
- 5 istration;
- 6 (D) the United States Constitution; or
- 7 (E) the history of the United States; and
- 8 (2) integrity, impartiality, and good judgment.

9 (c) PERIOD OF APPOINTMENT; VACANCIES.—

10 (1) PERIOD OF APPOINTMENT.—Each member  
11 shall be appointed for the life of the Commission.

12 (2) VACANCIES.—

13 (A) IN GENERAL.—A vacancy in the Com-  
14 mission shall not affect its powers.

15 (B) MANNER OF REPLACEMENT.—A va-  
16 cancy on the Commission shall be filled in the  
17 same manner which the original appointment  
18 was made and shall be subject to any conditions  
19 which applied with respect to the original ap-  
20 pointment not later than 60 days after the date  
21 of the vacancy.

22 (d) CHAIRPERSON; VICE CHAIRPERSON.—

23 (1) IN GENERAL.—The Commission shall elect  
24 a chairperson and vice chairperson from among its  
25 members.

1           (2) POLITICAL AFFILIATION.—The chairperson  
2           and vice chairperson may not be affiliated with the  
3           same political party.

4           (e) DATE OF APPOINTMENT.—The appointments of  
5           the members of the Commission shall be made not later  
6           than 45 days after the date of enactment of this Act.

7           (f) MEETINGS.—

8           (1) IN GENERAL.—The Commission shall meet  
9           at the call of the chairperson.

10          (2) INITIAL MEETING.—Not later than 20 days  
11          after the date on which all members of the Commis-  
12          sion have been appointed, the Commission shall hold  
13          its first meeting.

14          (3) QUORUM.—A majority of the members of  
15          the Commission shall constitute a quorum, but a  
16          lesser number of members may hold hearings.

17          (g) VOTING.—Each action of the Commission shall  
18          be approved by a majority vote of members. Each member  
19          shall have 1 vote.

20   **SEC. 513. DUTIES OF THE COMMISSION.**

21          (a) STUDY.—

22               (1) IN GENERAL.—The Commission shall con-  
23               duct a thorough study of—

24                       (A) election technology and systems;

1 (B) designs of ballots and the uniformity  
2 of ballots;

3 (C) access to polling places, including mat-  
4 ters relating to access for individuals with dis-  
5 abilities and other individuals with particular  
6 needs;

7 (D) voter registration and maintenance of  
8 voter rolls, including the use of provisional vot-  
9 ing and standards for reenfranchisement of vot-  
10 ers;

11 (E) alternative voting methods;

12 (F) accuracy of voting, election procedures,  
13 and election technology;

14 (G) voter education;

15 (H) training election personnel and volun-  
16 teers;

17 (I)(i) implementation of title I of the Uni-  
18 formed and Overseas Absentee Voting Act (42  
19 U.S.C. 1973ff et seq.), and the amendments  
20 made by title II of that Act, by—

21 (I) the Secretary of Defense;

22 (II) each other Federal Government  
23 official having a responsibility under that  
24 Act; and

25 (III) each State; and

1           (ii) whether any legislative or administra-  
2           tive action is necessary to provide a meaningful  
3           opportunity to register to vote in, and vote in,  
4           elections for Federal office (as defined in para-  
5           graph (3) of section 107 of that Act (42 U.S.C.  
6           1973ff-6)) for—

7                   (I) each absent uniformed services  
8                   voter (as defined in paragraph (1) of such  
9                   section); and

10                   (II) each overseas voter (as defined in  
11                   paragraph (5) of such section) to register  
12                   to vote and vote in elections for Federal of-  
13                   fice);

14           (J) the feasibility and advisability of estab-  
15           lishing the date on which elections for Federal  
16           office (as so defined) are held as a Federal or  
17           State holiday; and

18           (K)(i) how the Federal Government can,  
19           on a permanent basis, best provide ongoing as-  
20           sistance to State and local authorities to im-  
21           prove the administration of Federal elections;  
22           and

23           (ii) whether an existing or a new Federal  
24           agency should provide such assistance.



1           (2) WEBSITE.—For purposes of conducting the  
 2           study under this subsection, the Commission shall  
 3           establish an Internet website to facilitate public com-  
 4           ment and participation.

5           (b) RECOMMENDATIONS.—

6           (1) RECOMMENDATIONS OF BEST PRACTICES IN  
 7           VOTING AND ELECTION ADMINISTRATION.—The  
 8           Commission shall develop recommendations with re-  
 9           spect to the matters studied under subsection (a)  
 10          that identify those methods of voting and admin-  
 11          istering elections studied by the Commission that  
 12          would—

13                (A) be most convenient, accessible, and  
 14                easy to use for voters in Federal elections, in-  
 15                cluding voters with disabilities, absent uni-  
 16                formed services voters, overseas voters, and  
 17                other voters with special needs;

18                (B) yield the broadest participation and  
 19                most accurate results in Federal elections;

20                (C) be the most resource-efficient and cost-  
 21                effective for use in Federal elections; and

22                (D) be the most effective means of ensur-  
 23                ing security in Federal elections.

24           (2) RECOMMENDATIONS FOR PROVIDING AS-  
 25           SISTANCE IN FEDERAL ELECTIONS.—The Commis-

sion shall develop recommendations with respect to the matters studied under subsection (a)(1)(K) on how the Federal Government can, on a permanent basis, best provide ongoing assistance to State and local authorities to improve the administration of Federal elections, and identify whether an existing or a new Federal agency should provide such assistance.

(3) RECOMMENDATIONS FOR VOTER PARTICIPATION IN FEDERAL ELECTIONS.—The Commission shall develop recommendations with respect to the matters studied under subsection (a) on methods—

(A) to increase voter registration;

(B) to increase the accuracy of voter rolls;

(C) to improve voter education; and

(D) to improve the training of election personnel and volunteers.

(c) REPORTS.—

(1) INTERIM REPORTS.—Not later than the date on which the Commission submits the final report under paragraph (2), the Commission may submit to the President and Congress such interim reports as a majority of the members of the Commission determine appropriate.

(2) FINAL REPORT.—

1 (A) IN GENERAL.—Not later than one year  
2 after the date of enactment of this Act, the  
3 Commission shall submit to the President and  
4 Congress a final report that has received the  
5 approval of a majority of the members of the  
6 Commission.

7 (B) CONTENT.—The final report shall  
8 contain—

9 (i) a detailed statement of the find-  
10 ings and conclusions of the Commission on  
11 the matters studied under subsection (a);

12 (ii) a detailed statement of the rec-  
13 ommendations developed under subsection  
14 (b); and

15 (iii) any dissenting or minority opin-  
16 ions of the members of the Commission.

17 **SEC. 514. POWERS OF THE COMMISSION.**

18 (a) HEARINGS.—The Commission or, at its direction,  
19 any subcommittee or member of the Commission, may, for  
20 the purpose of carrying out this subtitle—

21 (1) hold such hearings, sit and act at such  
22 times and places, take such testimony, receive such  
23 evidence, administer such oaths; and

24 (2) require, by subpoena or otherwise, the at-  
25 tendance and testimony of such witnesses and the

1 production of such books, records, correspondence,  
2 memoranda, papers, documents, tapes, and materials  
3 as the Commission or such subcommittee or member  
4 considers advisable.

5 (b) ISSUANCE AND ENFORCEMENT OF SUB-  
6 POENAS.—

7 (1) ISSUANCE.—Any subpoena issued under  
8 subsection (a) shall be issued by the chairperson and  
9 vice chairperson of the Commission acting jointly.  
10 Each subpoena shall bear the signature of the chair-  
11 person of the Commission and shall be served by any  
12 person or class of persons designated by the chair-  
13 person for that purpose.

14 (2) ENFORCEMENT.—In the case of contumacy  
15 or failure to obey a subpoena issued under sub-  
16 section (a), the United States district court for the  
17 judicial district in which the subpoenaed person re-  
18 sides, is served, or may be found may issue an order  
19 requiring such person to appear at any designated  
20 place to testify or to produce documentary or other  
21 evidence. Any failure to obey the order of the court  
22 may be punished by the court as a contempt of that  
23 court.

24 (c) WITNESS ALLOWANCES AND FEES.—Section  
25 1821 of title 28, United States Code, shall apply to wit-

1 nesses requested or subpoenaed to appear at any hearing  
2 of the Commission. The per diem and mileage allowances  
3 for witnesses shall be paid from funds available to pay the  
4 expenses of the Commission.

5 (d) INFORMATION FROM FEDERAL AGENCIES.—The  
6 Commission may secure directly from any Federal depart-  
7 ment or agency such information as the Commission con-  
8 sidered necessary to carry out this subtitle. Upon request  
9 of the chairperson and vice chairperson of the Commission  
10 acting jointly, the head of such department or agency shall  
11 furnish such information to the Commission.

12 (e) POSTAL SERVICES.—The Commission may use  
13 the United States mails in the same manner and under  
14 the same conditions as other departments and agencies of  
15 the Federal Government.

16 (f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the  
17 request of the chairperson and vice chairperson of the  
18 Commission acting jointly, the Administrator of the Gen-  
19 eral Services Administration shall provide to the Commis-  
20 sion, on a reimbursable basis, the administrative support  
21 services that are necessary to enable the Commission to  
22 carry out its duties under this subtitle.

23 (g) GIFTS AND DONATIONS.—The Commission may  
24 accept, use, and dispose of gifts or donations of services  
25 or property to carry out this subtitle.

1 **SEC. 515. PERSONNEL MATTERS.**

2 (a) COMPENSATION OF MEMBERS.—Each member of  
3 the Commission who is not an officer or employee of the  
4 Federal Government shall be compensated at a rate equal  
5 to the daily equivalent of the annual rate of basic pay pre-  
6 scribed for level IV of the Executive Schedule under sec-  
7 tion 5315 of title 5, United States Code, for each day (in-  
8 cluding travel time) during which such member is engaged  
9 in the performance of the duties of the Commission. All  
10 members of the Commission who are officers or employees  
11 of the United States shall serve without compensation in  
12 addition to that received for their services as officers or  
13 employees of the United States.

14 (b) TRAVEL EXPENSES.—The members of the Com-  
15 mission shall be allowed travel expenses, including per  
16 diem in lieu of subsistence, at rates authorized for employ-  
17 ees of agencies under subchapter I of chapter 57 of title  
18 5, United States Code, while away from their homes or  
19 regular places of business in the performance of services  
20 for the Commission.

21 (c) STAFF.—

22 (1) IN GENERAL.—The chairperson and vice  
23 chairperson of the Commission, acting jointly, may,  
24 without regard to the civil service laws and regula-  
25 tions, appoint and terminate an executive director  
26 and such other additional personnel as may be nec-

1       essary to enable the Commission to perform its du-  
2       ties. The employment of an executive director shall  
3       be subject to confirmation by the Commission.

4           (2) COMPENSATION.—The chairperson and vice  
5       chairperson of the Commission, acting jointly, may  
6       fix the compensation of the executive director and  
7       other personnel without regard to chapter 51 and  
8       subchapter III of chapter 53 of title 5, United  
9       States Code, relating to classification of positions  
10      and General Schedule pay rates, except that the rate  
11      of pay for the executive director and other personnel  
12      may not exceed the rate payable for level V of the  
13      Executive Schedule under section 5316 of such title.

14      (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
15      Federal Government employee may be detailed to the  
16      Commission without reimbursement, and such detail shall  
17      be without interruption or loss of civil service status or  
18      privilege.

19      (e) PROCUREMENT OF TEMPORARY AND INTERMIT-  
20      TENT SERVICES.—The chairperson and vice chairperson  
21      of the Commission, acting jointly, may procure temporary  
22      and intermittent services under section 3109(b) of title 5,  
23      United States Code, at rates for individuals which do not  
24      exceed the daily equivalent of the annual rate of basic pay

1 prescribed for level V of the Executive Schedule under sec-  
 2 tion 5316 of such title.

3 **SEC. 516. TERMINATION OF THE COMMISSION.**

4 The Commission shall terminate 45 days after the  
 5 date on which the Commission submits its final report  
 6 under section 513(c)(2).

7 **SEC. 517. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
 8 **COMMISSION.**

9 (a) IN GENERAL.—There are authorized to be appro-  
 10 priated such sums as may be necessary to carry out the  
 11 purposes of this subtitle.

12 (b) AVAILABILITY.—Any sums appropriated under  
 13 the authorization contained in this section shall remain  
 14 available, without fiscal year limitation, until expended.

15 **Subtitle B—Grant Program**

16 **SEC. 521. ESTABLISHMENT OF GRANT PROGRAM.**

17 The Attorney General, subject to the general policies  
 18 and criteria established under section 523, in consultation  
 19 with the Federal Election Commission, is authorized to  
 20 make grants to States to pay the Federal share of the  
 21 costs of the activities described in section 522.

22 **SEC. 522. AUTHORIZED ACTIVITIES.**

23 A State may use payments received under this sub-  
 24 title to—



1           (1) improve or replace voting equipment or  
2           technology;

3           (2) implement new election administration pro-  
4           cedures, such as “same-day” voter registration pro-  
5           cedures;

6           (3) educate voters concerning voting proce-  
7           dures, voting rights, or voting technology and train  
8           election personnel; and

9           (4) upon completion of the final report under  
10          section 513(c), implement recommendations con-  
11          tained in such report.

12 **SEC. 523. GENERAL POLICIES AND CRITERIA.**

13          (a) GENERAL POLICIES.—The Attorney General shall  
14          establish general policies with respect to the approval of  
15          State plans, awarding of grants, and the use of assistance  
16          made available under this subtitle.

17          (b) CRITERIA.—

18               (1) IN GENERAL.—The Attorney General shall  
19               establish criteria with respect to the approval of  
20               State plans submitted under section 524, including  
21               the requirements under paragraph (2).

22               (2) REQUIREMENTS FOR APPROVAL.—The At-  
23               torney General shall not approve a State plan unless  
24               the plan provides for each of the following:

1 (A) Uniform standards within the State  
2 for election administration and technology.

3 (B) Accuracy of the records of eligible vot-  
4 ers in the State to ensure that legally registered  
5 voters appear in such records and prevent any  
6 purging of such records to remove illegal voters  
7 that results in the elimination of legal voters as  
8 well.

9 (C) Voting accessibility standards that  
10 ensure—

11 (i) compliance with the Voting Acces-  
12 sibility for the Elderly and Handicapped  
13 Act (42 U.S.C. 1973ee et seq.);

14 (ii) compliance with the Voting Rights  
15 Act of 1965 (42 U.S.C. 1971 et seq.); and

16 (iii) that absent uniformed service vot-  
17 ers and their dependents have a meaning-  
18 ful opportunity to exercise their voting  
19 rights as citizens of the United States.

20 (D) Voter education programs regarding  
21 methodology and procedures for participating in  
22 elections and training programs for election  
23 personnel and volunteers.

1 (c) CONSULTATION.—In establishing the general poli-  
 2 cies and criteria under this section, the Attorney General  
 3 shall consult with the Federal Election Commission.

4 **SEC. 524. SUBMISSION OF STATE PLANS.**

5 (a) IN GENERAL.—Subject to subsection (c), the  
 6 chief executive officer of each State that desires to receive  
 7 a grant under this subtitle shall submit a State plan to  
 8 the Attorney General at such time, in such manner, and  
 9 accompanied by such additional information as the Attor-  
 10 ney General, in consultation with the Federal Election  
 11 Commission, may reasonably require.

12 (b) CONTENTS.—Each State plan submitted under  
 13 subsection (a) shall—

14 (1) describe the activities for which assistance  
 15 under this subtitle is sought;

16 (2) provide evidence that the State meets the  
 17 general policies and criteria established by the Attor-  
 18 ney General under section 523;

19 (3) provide assurances that the State will pay  
 20 the non-Federal share of the activities for which as-  
 21 sistance is sought from non-Federal sources; and

22 (4) provide such additional assurances as the  
 23 Attorney General, in consultation with the Federal  
 24 Election Commission, determines to be essential to

1 ensure compliance with the requirements of this sub-  
2 title.

3 (c) AVAILABLE FOR REVIEW AND COMMENT.—A  
4 State submitting a State plan under this section shall  
5 make such State plan publicly available for review and  
6 comment prior to submission.

7 **SEC. 525. APPROVAL OF STATE PLANS.**

8 The Attorney General, in consultation with the Fed-  
9 eral Election Commission, shall approve State plans in ac-  
10 cordance with the general policies and criteria established  
11 under section 523.

12 **SEC. 526. FEDERAL MATCHING FUNDS.**

13 (a) PAYMENTS.—The Attorney General shall pay to  
14 each State having a State plan approved under section  
15 525 the Federal share of the cost of the activities de-  
16 scribed in the State plan.

17 (b) FEDERAL SHARE.—

18 (1) IN GENERAL.—Subject to paragraph (2),  
19 for purposes of subsection (a), the Federal share  
20 shall be 80 percent.

21 (2) WAIVER.—The Attorney General may speci-  
22 fy a Federal share greater than 80 percent if the  
23 State agrees to comply with such terms and condi-  
24 tions as the Attorney General may prescribe.

1 (c) NON-FEDERAL SHARE.—The non-Federal share  
 2 of payments under this subtitle may be in cash or in kind  
 3 fairly evaluated, including planned equipment or services.

4 **SEC. 527. AUDITS AND EXAMINATIONS.**

5 (a) RECORDKEEPING REQUIREMENT.—Each recipi-  
 6 ent of a grant under this subtitle shall keep such records  
 7 as the Attorney General, in consultation with the Federal  
 8 Election Commission, shall prescribe.

9 (b) AUDIT AND EXAMINATION.—

10 (1) AUTHORITY.—Subject to paragraph (2), the  
 11 Attorney General and the Comptroller General of  
 12 the United States, or any authorized representative  
 13 of the Attorney General or the Comptroller General,  
 14 shall have access to any record of a recipient of a  
 15 grant under this subtitle that the Attorney General  
 16 or the Comptroller General determines may be re-  
 17 lated to a grant received under this subtitle for the  
 18 purpose of conducting an audit or examination.

19 (2) EXPIRATION OF AUTHORITY.—The author-  
 20 ity of the Attorney General and the Comptroller  
 21 General conduct an audit or examination under this  
 22 subsection with respect to the recipient of a grant  
 23 under this subtitle shall expire on the date that is  
 24 3 years after the date on which the activity for

1       which an State plan is approved under section 524  
2       concludes.

3   **SEC. 528. REPORTS.**

4       (a) REPORTS TO CONGRESS.—Not later than Janu-  
5   ary 31, 2003, and each year thereafter, the Attorney Gen-  
6   eral shall submit to the President and Congress a report  
7   on the program under this subtitle for the preceding year.  
8   Each report shall set forth the following:

9           (1) A description and analysis of any activities  
10       funded by a grant awarded under this subtitle.

11          (2) Any recommendation for legislative or ad-  
12       ministrative action that the Attorney General con-  
13       siders appropriate.

14       (b) REPORTS TO THE ATTORNEY GENERAL.—The  
15   Attorney General shall require in each grant awarded  
16   under this subtitle that the recipient of such grant submit  
17   to the Attorney General, under a schedule established by  
18   the Attorney General, such information as the Attorney  
19   General considers appropriate to submit reports under  
20   subsection (a).

21   **SEC. 529. STATE DEFINED.**

22       In this subtitle, the term “State” means each of the  
23   several States, the District of Columbia, the Common-  
24   wealth of Puerto Rico, American Samoa, Guam, and the  
25   United States Virgin Islands.

1 **SEC. 530. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION.—

3 (1) IN GENERAL.—There are authorized to be  
4 appropriated to the Department of Justice—

5 (A) \$500,000,000 for fiscal year 2002;

6 (B) such amounts as necessary for each of  
7 fiscal years 2003, 2004, 2005, and 2006.

8 (2) USE OF AMOUNTS.—Amounts appropriated  
9 under paragraph (1) shall be for the purpose of—

10 (A) awarding grants under this subtitle;

11 and

12 (B) paying for the costs of administering  
13 the program to award such grants.

14 (3) FEDERAL ELECTION COMMISSION.—There  
15 are authorized to be appropriated for each of fiscal  
16 years 2002, 2003, 2004, 2005, and 2006 such  
17 amounts as necessary to the Federal Election Com-  
18 mission for the purpose of consultation with the At-  
19 torney General under this subtitle.

20 (b) LIMITATION.—Not more than 1 percent of any  
21 sums appropriated under paragraph (1) of subsection (a)  
22 may be used to pay for the administrative costs described  
23 in paragraph (2)(B) of such subsection.

24 (c) SUPPLEMENTAL APPROPRIATIONS.—There are  
25 authorized to be appropriated as supplemental appropria-  
26 tions for fiscal year 2001 such sums as the Department

1 of Justice and the Federal Election Commission consider  
 2 necessary to carry out the provisions of this subtitle.

### 3 **Subtitle C—Miscellaneous**

#### 4 **SEC. 541. RELATIONSHIP TO OTHER LAWS.**

5 Nothing in this title may be construed to authorize,  
 6 require, or supersede conduct prohibited under the fol-  
 7 lowing laws, or otherwise affect such laws:

8 (1) The National Voter Registration Act of  
 9 1993 (42 U.S.C. 1973gg et seq.).

10 (2) The Voting Rights Act of 1965 (42 U.S.C.  
 11 1971 et seq.).

12 (3) The Voting Accessibility for the Elderly and  
 13 Handicapped Act (42 U.S.C. 1973ee et seq.).

14 (4) The Uniformed and Overseas Citizens Ab-  
 15 sentee Voting Act (42 U.S.C. 1973ff et seq.).

16 (5) The Federal Election Campaign Act of  
 17 1971 (2 U.S.C. 431 et seq.).

## 18 **TITLE VI—MILITARY VOTING**

#### 19 **SEC. 601. SHORT TITLE.**

20 This title may be cited as the “Military Voting Rights  
 21 Act of 2001”.

#### 22 **SEC. 602. GUARANTEE OF RESIDENCY.**

23 Article VII of the Soldiers’ and Sailors’ Civil Relief  
 24 Act of 1940 (50 U.S.C. 590 et seq.) is amended by adding  
 25 at the end the following:



1       “SEC. 704. (a) For purposes of voting for an office  
2 of the United States or of a State, a person who is absent  
3 from a State in compliance with military or naval orders  
4 shall not, solely by reason of that absence—

5           “(1) be deemed to have lost a residence or  
6 domicile in that State;

7           “(2) be deemed to have acquired a residence or  
8 domicile in any other State; or

9           “(3) be deemed to have become resident in or  
10 a resident of any other State.

11       “(b) In this section, the term ‘State’ includes a terri-  
12 tory or possession of the United States, a political subdivi-  
13 sion of a State, territory, or possession, and the District  
14 of Columbia.”.

15 **SEC. 603. STATE RESPONSIBILITY TO GUARANTEE MILI-**  
16 **TARY VOTING RIGHTS.**

17       (a) REGISTRATION AND BALLOTING.—Section 102 of  
18 the Uniformed and Overseas Citizens Absentee Voting Act  
19 (42 U.S.C. 1973ff–1) is amended—

20           (1) by inserting “(a) ELECTIONS FOR FEDERAL  
21 OFFICES.—” before “Each State shall—”; and

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

23       “(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—  
24 Each State shall—

1 “(1) permit absent uniformed services voters to  
 2 use absentee registration procedures and to vote by  
 3 absentee ballot in general, special, primary, and run-  
 4 off elections for State and local offices; and

5 “(2) accept and process, with respect to any  
 6 election described in paragraph (1), any otherwise  
 7 valid voter registration application from an absent  
 8 uniformed services voter if the application is received  
 9 by the appropriate State election official not less  
 10 than 30 days before the election.”.

11 (b) CONFORMING AMENDMENT.—The heading for  
 12 title I of such Act is amended by striking out “**FOR**  
 13 **FEDERAL OFFICE**”.

14 **TITLE VII—SEVERABILITY; CON-**  
 15 **STITUTIONALITY; EFFECTIVE**  
 16 **DATE; REGULATIONS**

17 **SEC. 701. SEVERABILITY.**

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

1 **SEC. 702. REVIEW OF CONSTITUTIONAL ISSUES.**

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

7 **SEC. 703. EFFECTIVE DATE.**

8 Except as otherwise provided in this Act, this Act and  
9 the amendments made by this Act shall take effect upon  
10 the expiration of the 90-day period which begins on the  
11 date of the enactment of this Act.

12 **SEC. 704. REGULATIONS.**

13 The Federal Election Commission shall prescribe any  
14 regulations required to carry out this Act and the amend-  
15 ments made by this Act not later than 45 days after the  
16 date of the enactment of this Act.

