

111TH CONGRESS
1ST SESSION

H. R. 158

To amend the Federal Election Campaign Act of 1971 to provide for expenditure limitations and public financing for House of Representatives general elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. OBEY (for himself, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. ISRAEL, Mr. STARK, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Ways and Means and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for expenditure limitations and public financing for House of Representatives general elections, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; FINDING.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Let the People Decide Clean Campaign Act”.

1 (b) FINDING.—The Congress finds that the existing
 2 system of private political contributions has become a fun-
 3 damental threat to the integrity of the national election
 4 process, has undermined public confidence in the legit-
 5 imacy of that election process, and that the provisions con-
 6 tained in this Act are necessary to prevent the corruption
 7 of the public's faith in the Nation's system of governance.

8 **TITLE I—EXPENDITURE LIMITA-**
 9 **TIONS AND PUBLIC FINANC-**
 10 **ING FOR HOUSE OF REP-**
 11 **RESENTATIVES GENERAL**
 12 **ELECTIONS**

13 **SEC. 101. EXPENDITURE LIMITATIONS AND PUBLIC FI-**
 14 **NANCING OF HOUSE GENERAL ELECTIONS.**

15 (a) EXPENDITURE LIMITATIONS AND PUBLIC FI-
 16 NANCING.—The Federal Election Campaign Act of 1971
 17 (2 U.S.C. 431 et seq.) is amended by adding at the end
 18 the following new title:

1 **“TITLE V—EXPENDITURE LIM-**
2 **TATIONS AND PUBLIC FI-**
3 **NANCING FOR HOUSE OF**
4 **REPRESENTATIVES GENERAL**
5 **ELECTIONS**

6 **“SEC. 501. LIMITATION ON EXPENDITURES IN HOUSE OF**
7 **REPRESENTATIVES GENERAL ELECTIONS.**

8 “A candidate in a House of Representatives general
9 election may not make expenditures other than as pro-
10 vided in this title.

11 **“SEC. 502. SOURCES OF AMOUNTS FOR EXPENDITURES BY**
12 **CANDIDATES IN HOUSE OF REPRESENTA-**
13 **TIVES GENERAL ELECTIONS.**

14 “The only sources of amounts for expenditures by
15 candidates in House of Representatives general elections
16 shall be—

17 “(1) the Grassroots Good Citizenship Fund
18 under section 506; and

19 “(2) additional amounts from State and na-
20 tional party committees under section 507.

21 **“SEC. 503. DISTRICT LIMITATION ON EXPENDITURES BY**
22 **MAJOR PARTY CANDIDATES.**

23 “(a) IN GENERAL.—Except as provided in sections
24 505 and 507, the maximum amounts of expenditures by
25 major party candidates in House of Representatives gen-

1 eral elections shall be based on the median household in-
2 come of the districts involved, as provided for in sub-
3 sections (b) and (c).

4 “(b) MAXIMUM FOR WEALTHIEST DISTRICT.—In the
5 congressional district with the highest median household
6 income, maximum combined expenditures for all major
7 party candidates with respect to a House of Representa-
8 tives general election shall be a total of \$2,000,000.

9 “(c) MAXIMUM FOR OTHER DISTRICTS.—In each
10 congressional district, other than the district referred to
11 in subsection (b), the maximum combined expenditures for
12 all major party candidates with respect to a House of Rep-
13 resentatives general election shall be an amount equal to—

14 “(1) the maximum amount referred to in sub-
15 section (b), less

16 “(2) the amount equal to—

17 “(A) $\frac{2}{3}$ of the percentage difference be-
18 tween the median household income of the dis-
19 trict involved and the median household income
20 of the district referred to in subsection (b),
21 times

22 “(B) the maximum amount referred to in
23 subsection (b).

24 “(d) ALLOCATION.—

1 “(1) IN GENERAL.—The maximum expenditure
2 for a major party candidate in a congressional dis-
3 trict shall bear the same ratio to the maximum
4 amount under subsection (b) or (c), as applicable, as
5 the total popular vote in the same precincts in which
6 the general election will be held for candidates of the
7 party in all House of Representatives general elec-
8 tions occurring during the period described in para-
9 graph (3) bears to the total popular vote in such
10 precincts for candidates of all major parties in all
11 such elections, except that in determining the total
12 popular vote in such precincts for candidates of any
13 party in elections occurring during the period de-
14 scribed in paragraph (3), votes cast in any House of
15 Representatives general election for which there were
16 fewer than 2 major party candidates shall not be
17 taken into account.

18 “(2) EXCEPTION FOR DISTRICTS WITH NO CON-
19 TESTED ELECTIONS.—If, during the period de-
20 scribed in paragraph (3), no House of Representa-
21 tives general election for which there were at least
22 2 major party candidates was held in any of the
23 same precincts in which the general election will be
24 held, the maximum expenditure for a major party
25 candidate in the district shall bear the same ratio to

1 the maximum amount under subsection (b) or (c), as
 2 applicable, as the total popular vote in all such pre-
 3 cinets for candidates of the party in all elections for
 4 the office of Senator occurring during the period de-
 5 scribed in paragraph (3) bears to the total popular
 6 vote in all such precincts for candidates of all major
 7 parties in all such elections.

8 “(3) PERIOD DESCRIBED.—With respect to a
 9 House of Representatives general election in a con-
 10 gressional district, the period described in this para-
 11 graph is the period beginning on the date of the
 12 third most recent House of Representatives general
 13 election held in the district and ending on the day
 14 before the date of the election.

15 **“SEC. 504. DISTRICT LIMITATION ON EXPENDITURES BY**
 16 **THIRD PARTY AND INDEPENDENT CAN-**
 17 **DIDATES.**

18 “(a) IN GENERAL.—Except as provided in sections
 19 505 and 507, the maximum amounts of expenditures by
 20 third party and independent candidates in House of Rep-
 21 resentatives general elections shall be the amount allo-
 22 cated under subsection (b).

23 “(b) ALLOCATION.—The maximum expenditure for a
 24 third party or independent candidate in a congressional
 25 district shall be the greater of the following amounts:

1 “(1) The amount that bears the same ratio to
2 the maximum amount under subsection (b) or (c) of
3 section 503, as applicable, as the total popular vote
4 in the district for candidates of the third party or
5 for all independent candidates (as the case may be)
6 in House of Representatives general elections bears
7 to the total popular vote for all candidates in elec-
8 tions held during the period described in section
9 503(d)(3).

10 “(2) The amount that bears the same ratio to
11 the maximum amount under subsection (b) or (c) of
12 section 503, as applicable, as the total popular vote
13 in the State involved for candidates of the third
14 party or for all independent candidates (as the case
15 may be) in elections for Federal office other than
16 Presidential elections bears to the total popular vote
17 for all candidates in elections held during the period
18 described in section 503(d)(3).

19 “(3) The amount that bears the same ratio to
20 the maximum amount under subsection (b) or (c) of
21 section 503, as applicable, as the total popular vote
22 in the State involved for candidates of the third
23 party or for all independent candidates (as the case
24 may be) in Presidential elections bears to the total
25 popular vote for all candidates in Presidential elec-

1 tions held during the period described in section
2 503(d)(3).

3 **“SEC. 505. PERMITTING ADDITIONAL EXPENDITURES BY**
4 **CERTAIN ELIGIBLE CANDIDATES.**

5 “(a) ADDITIONAL EXPENDITURES.—

6 “(1) IN GENERAL.—The maximum amount cal-
7 culated under section 503 or 504 for any eligible
8 candidate described in paragraph (2) shall be in-
9 creased in accordance with subsection (b).

10 “(2) ELIGIBLE CANDIDATE DESCRIBED.—

11 “(A) IN GENERAL.—In this section, an ‘eli-
12 gible candidate’ is a major party, third party,
13 or independent candidate in a House of Rep-
14 resentatives general election who presents to the
15 Commission petitions containing the signatures
16 of individuals eligible to vote in the election (as
17 verified by the Commission), except that the
18 highest funded candidate in the election may
19 not be an eligible candidate for purposes of this
20 section.

21 “(B) PROHIBITING USE OF PAID SIGNA-
22 TURE COLLECTORS.—The Commission may not
23 verify a signature presented under this section
24 if any person received a direct or indirect pay-
25 ment to collect the signature.

1 “(3) HIGHEST FUNDED CANDIDATE DE-
 2 SCRIBED.—In this section, the ‘highest funded can-
 3 didate’ is, with respect to an election, the major
 4 party, third party, or independent candidate who is
 5 permitted to make the greatest maximum amount of
 6 expenditures under this title, as calculated under ei-
 7 ther section 503 or 504 (but excluding any increase
 8 in the amount under this section and any additional
 9 amount permitted under section 507).

10 “(b) DETERMINATION OF AMOUNT OF INCREASE IN
 11 MAXIMUM EXPENDITURE AMOUNT.—

12 “(1) DETERMINATION.—The increase in the
 13 maximum amount for an eligible candidate in a
 14 House of Representatives general election provided
 15 under this section shall be determined as follows:

16 “(A) If the number of signatures presented
 17 by the candidate to the Commission under sub-
 18 section (a)(2) is equal to or greater than 20%
 19 of the total number of votes cast in the most
 20 recent comparable election in the same pre-
 21 cincts in which the House of Representatives
 22 general election is held (as verified by the Com-
 23 mission), the maximum amount for the can-
 24 didate shall be increased by an amount equal to
 25 the difference between—

1 “(i) the maximum amount of expendi-
2 tures which the highest funded candidate
3 in the election is permitted to make under
4 this title, as calculated under either section
5 503 or 504 (but excluding any additional
6 amount permitted under section 507); and

7 “(ii) the maximum amount of expend-
8 itures which the candidate is permitted to
9 make under this title, as calculated under
10 either section 503 or 504 (but excluding
11 any increase in the amount under this sec-
12 tion and any additional amount permitted
13 under section 507).

14 “(B) If, in the case of a third party or
15 independent candidate, the number of signa-
16 tures presented by the candidate to the Com-
17 mission under subsection (a)(2) is equal to or
18 greater than 10% of the total number of votes
19 cast in the most recent comparable election in
20 the same precincts in which the House of Rep-
21 resentatives general election is held (as verified
22 by the Commission) and less than 20% of such
23 total number of votes, the maximum amount for
24 the candidate shall be increased by an amount
25 equal to the difference between—

1 “(i) 50 percent of the maximum
2 amount of expenditures which the highest
3 funded candidate in the election is per-
4 mitted to make under this title, as cal-
5 culated under either section 503 or 504
6 (but excluding any additional amount per-
7 mitted under section 507); and

8 “(ii) the maximum amount of expend-
9 itures which the candidate is permitted to
10 make under this title, as calculated under
11 either section 503 or 504 (but excluding
12 any increase in the amount under this sec-
13 tion and any additional amount permitted
14 under section 507).

15 “(C) If the number of signatures presented
16 by the candidate to the Commission under sub-
17 section (a)(2) is less than 10% (or, in the case
18 of a major party candidate, less than 20%) of
19 the total number of votes cast in the most re-
20 cent comparable election in the same precincts
21 in which the House of Representatives general
22 election is held (as verified by the Commission),
23 there shall be no increase in the maximum
24 amount provided under this section.

1 “(2) MOST RECENT COMPARABLE ELECTION
2 DEFINED.—In this subsection, the term ‘most recent
3 comparable election’ means, with respect to a House
4 of Representatives general election—

5 “(A) in the case of a regularly scheduled
6 election held in a year in which a Presidential
7 election is held, the most recent regularly sched-
8 uled election held in a year in which a Presi-
9 dential election was held;

10 “(B) in the case of a regularly scheduled
11 election held in a year in which a Presidential
12 election is not held, the most recent regularly
13 scheduled election held in a year in which a
14 Presidential election is not held; and

15 “(C) in the case of a special election, the
16 most recent House of Representatives general
17 election held in the same precincts in which the
18 election is held which the Commission considers
19 appropriate for purposes of this section.

20 **“SEC. 506. GRASSROOTS GOOD CITIZENSHIP FUND.**

21 “(a) CREATION OF FUND.—There is established in
22 the Treasury a trust fund to be known as the ‘Grassroots
23 Good Citizenship Fund’, consisting of such amounts as
24 may be credited to such fund as provided in this section.

1 “(b) DISTRICT ACCOUNTS.—There shall be estab-
2 lished within the Grassroots Good Citizenship Fund an ac-
3 count for each congressional district. The accounts so es-
4 tablished shall be administered by the Commission for the
5 purpose of distributing amounts under this title.

6 “(c) PAYMENTS TO CANDIDATES.—Subject to sub-
7 section (d), the Commission shall pay to each candidate
8 from the Grassroots Good Citizenship Fund the maximum
9 amount calculated for such candidate under section 503
10 or 504 and any additional amount calculated for the can-
11 didate under section 505.

12 “(d) INSUFFICIENT AMOUNTS.—If, as determined by
13 the Commission, there are insufficient amounts in the
14 Grassroots Good Citizenship Fund for payments under
15 subsection (c), the Commission may reduce payments to
16 candidates so that each candidate receives a pro rata por-
17 tion of the amounts that are available.

18 “(e) TRANSFERS TO FUND.—There are hereby cred-
19 ited to the Grassroots Good Citizenship Fund amounts
20 equivalent to the amounts designated under section 6097
21 of the Internal Revenue Code of 1986.

22 “(f) EXPENDITURES.—Amounts in the Grassroots
23 Good Citizenship Fund shall be available for the purpose
24 of providing amounts for expenditure by candidates in

1 House of Representatives general elections in accordance
2 with this title.

3 **“SEC. 507. ADDITIONAL AMOUNTS FROM STATE AND NA-**
4 **TIONAL PARTY COMMITTEES.**

5 “(a) CONTRIBUTIONS.—In addition to amounts made
6 available under section 503 or 504 and the additional
7 amounts made available under section 505, in the case of
8 a candidate in a House of Representatives general election
9 who is the candidate of a political party, the State and
10 national committees of that political party may make con-
11 tributions to the candidate totaling not more than 5 per-
12 cent of the maximum expenditure applicable to the can-
13 didate (as calculated under section 503 or section 504 and
14 including any additional amount provided under section
15 505).

16 “(b) EXPENDITURES.—A House of Representatives
17 candidate who is the candidate of a political party may
18 make expenditures of the amounts received under sub-
19 section (a).

20 **“SEC. 508. PUBLIC SERVICE ANNOUNCEMENTS.**

21 “(a) IN GENERAL.—Beginning on January 15, and
22 continuing through April 15 of each year, the Commission
23 shall carry out a program, utilizing broadcast announce-
24 ments and other appropriate means, to inform the public
25 of the existence and purpose of the Grassroots Good Citi-

1 zenship Fund and the role that individual citizens can play
2 in the election process by voluntarily contributing to the
3 fund. The announcements shall be broadcast during prime
4 time viewing hours in 30-second advertising segments
5 equivalent to 200 gross rating points per network per
6 week. The Commission shall ensure that the maximum
7 number of taxpayers shall be exposed to these announce-
8 ments. Television networks, as defined by the Federal
9 Communications Commission, shall provide the broadcast
10 time under this section as part of their obligations in the
11 public interest under the Communications Act of 1934.
12 The Federal Election Commission shall encourage broad-
13 cast outlets other than the above mentioned television net-
14 works including radio to provide similar announcements.

15 “(b) GROSS RATING POINT.—The term ‘gross rating
16 point’ is a measure of the total gross weight delivered. It
17 is the sum of the ratings for individual programs. Since
18 a household rating period is 1 percent of the coverage
19 base, 200 gross rating points means 2 messages a week
20 per average household.

21 **“SEC. 509. AGGREGATION OF CANDIDATES AND AUTHOR-**
22 **IZED COMMITTEES.**

23 “For purposes of applying the restrictions and limita-
24 tions of this title—

1 “(1) expenditures made by any authorized com-
2 mittee of a candidate shall be considered to be made
3 by the candidate; and

4 “(2) contributions made to any authorized com-
5 mittee of a candidate shall be considered to be made
6 to the candidate.

7 **“SEC. 510. DEFINITIONS.**

8 “As used in this title—

9 “(1) the term ‘House of Representatives can-
10 didate’ means a candidate for the office of Rep-
11 resentative in, or Delegate or Resident Commis-
12 sioner to, the Congress;

13 “(2) the term ‘median household income’
14 means, with respect to a congressional district, the
15 median household income of that district, as deter-
16 mined by the Commission, using the most current
17 data from the Bureau of the Census;

18 “(3) the term ‘major party’ means, with respect
19 to a House of Representatives general election—

20 “(A) a political party whose House of Rep-
21 resentatives candidate in the preceding general
22 election received, as the candidate of such
23 party, 25 percent or more of the total number
24 of popular votes received by all candidates for

1 such office in the same precincts in which the
2 general election will be held, or

3 “(B) a political party whose candidates in
4 all elections for Federal office and all elections
5 for the chief executive of the State involved oc-
6 curring during the period described in section
7 503(d)(3) received 25 percent or more of the
8 total number of popular votes received by all
9 candidates in the same precincts in which the
10 general election will be held in all such elections
11 occurring during such period;

12 “(4) the term ‘third party’ means, with respect
13 to a House of Representatives general election, a po-
14 litical party which is not a major party;

15 “(5) the term ‘independent candidate’ means,
16 with respect to a House of Representatives general
17 election, a House of Representatives candidate who
18 is not the candidate of a major party or a third
19 party, except that any such candidate who, in the
20 preceding general election, received 25 percent or
21 greater of the total number of popular votes received
22 by all candidates for such office in the same pre-
23 cincts in which the general election will be held, shall
24 be treated for purposes of this title as a major party
25 candidate; and

“(6) the term ‘House of Representatives general election’ means a general election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress.”.

(b) INDEXING OF AMOUNTS.—

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

(A) in paragraph (1)(B)(i), by striking “or (h)” and inserting “or (h), or by title V,”; and

(B) in paragraph (1)(C), by striking “and (h)” and inserting “and (h), and under title V,”.

(2) BASE YEAR.—Section 315(c)(2)(B) of such Act (2 U.S.C. 441a(c)(2)(B)) is amended—

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

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

(C) by adding at the end the following new clause:

“(iii) for purposes of title V, calendar year 2012.”.

1 **TITLE II—AMENDMENTS TO IN-**
 2 **TERNAL REVENUE CODE OF**
 3 **1986**

4 **SEC. 201. DESIGNATION OF OVERPAYMENTS AND CON-**
 5 **TRIBUTIONS FOR GRASSROOTS GOOD CITI-**
 6 **ZENSHIP FUND.**

7 (a) IN GENERAL.—Subchapter A of chapter 61 of the
 8 Internal Revenue Code of 1986 (relating to returns and
 9 records) is amended by adding at the end the following:

10 **“PART IX—DESIGNATION OF OVERPAYMENTS**
 11 **AND CONTRIBUTIONS FOR GRASSROOTS**
 12 **GOOD CITIZENSHIP FUND**

“Sec. 6097. Designation of overpayments for Grassroots Good Citizenship Fund.

13 **“SEC. 6097. DESIGNATION OF OVERPAYMENTS FOR GRASS-**
 14 **ROOTS GOOD CITIZENSHIP FUND.**

15 “(a) IN GENERAL.—With respect to each taxpayer’s
 16 return for the taxable year of the tax imposed by chapter
 17 1, such taxpayer may designate that—

18 “(1) an amount that is not less than \$1 of any
 19 overpayment of tax for such taxable year, and

20 “(2) any contribution which the taxpayer in-
 21 cludes with such return,

22 shall be paid over to the Grassroots Good Citizenship
 23 Fund under section 506 of the Federal Election Campaign
 24 Act of 1971.

1 “(b) MANNER AND TIME OF DESIGNATION.—A des-
 2 ignation under subsection (a) may be made with respect
 3 to any taxable year only at the time of filing the return
 4 of tax imposed by chapter 1 for such taxable year. Such
 5 designation shall be made on the first page of the return.

6 “(c) OVERPAYMENTS TREATED AS REFUNDED.—For
 7 purposes of this title, any portion of an overpayment of
 8 tax designated under subsection (a) shall be treated as
 9 being refunded to the taxpayer as of the last date pre-
 10 scribed for filing the return of tax imposed by chapter 1
 11 (determined without regard to extensions) or, if later, the
 12 date the return is filed.”.

13 (b) CLERICAL AMENDMENT.—The table of parts for
 14 such subchapter A is amended by adding at the end there-
 15 of the following new item:

“PART IX. DESIGNATION OF OVERPAYMENTS AND CONTRIBUTIONS FOR CER-
 TAIN PURPOSES RELATING TO HOUSE OF REPRESENTATIVES ELECTIONS”.

16 (c) EFFECTIVE DATE.—The amendments made by
 17 this section shall apply to taxable years beginning after
 18 December 31, 2012.

19 **SEC. 202. INCREASE IN CORPORATE INCOME TAX ON TAX-**
 20 **ABLE INCOME ABOVE \$10,000,000.**

21 (a) IN GENERAL.—Subparagraph (D) of section
 22 11(b)(1) of the Internal Revenue Code of 1986 is amended
 23 by striking “35 percent” and inserting “35.1 percent”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply to taxable years beginning after
3 December 31, 2012.

4 (c) USE OF AMOUNTS RECEIVED.—Amounts received
5 by reason of the amendment made by subsection (a) shall
6 be paid over to the Grassroots Good Citizenship Fund
7 under section 506 of the Federal Election Campaign Act
8 of 1971.

9 **TITLE III—INDEPENDENT**
10 **EXPENDITURES**

11 **SEC. 301. BAN ON INDEPENDENT EXPENDITURES IN HOUSE**
12 **OF REPRESENTATIVES ELECTIONS.**

13 Section 315 of the Federal Election Campaign Act
14 of 1971 (2 U.S.C. 441a) is amended by adding at the end
15 the following new subsection;

16 “(k) No person may make any independent expendi-
17 ture with respect to an election for the office of Represent-
18 ative in, or Delegate or Resident Commissioner to, the
19 Congress.”.

20 **SEC. 302. BAN USE OF NONFEDERAL FUNDS FOR CERTAIN**
21 **DISBURSEMENTS.**

22 Title III of the Federal Election Campaign Act of
23 1971 (2 U.S.C. 431 et seq.) is amended by adding at the
24 end the following new section:

1 “BAN ON USE OF NONFEDERAL FUNDS FOR CERTAIN
2 DISBURSEMENTS

3 “SEC. 325. No person may make any disbursement
4 in connection with a campaign for an election for the office
5 of Representative in, or Delegate or Resident Commis-
6 sioner to, the Congress, or any disbursement in connection
7 with any public communication made for purposes of sup-
8 porting, opposing, attacking, promoting, or mentioning a
9 candidate in such an election, unless the funds used for
10 the disbursement are subject to the limitations, prohibi-
11 tions, and reporting requirements of this Act.”.

12 **TITLE IV—PROVISIONS RELAT-**
13 **ING TO HOUSE OF REP-**
14 **RESENTATIVES PRIMARY**
15 **ELECTIONS**

16 **SEC. 401. LIMITATION ON EXPENDITURES IN HOUSE OF**
17 **REPRESENTATIVES ELECTIONS OTHER THAN**
18 **GENERAL ELECTIONS.**

19 Section 315 of the Federal Election Campaign Act
20 of 1971 (2 U.S.C. 441a), as amended by section 301, is
21 further amended by adding at the end the following new
22 subsection:

23 “(1)(1) The maximum expenditures for a candidate
24 for the office of Representative in, or Delegate or Resident
25 Commissioner to, the Congress in any election other than

1 a general election may not exceed $\frac{1}{3}$ of the maximum ap-
2 plicable to the candidate in a general election under title
3 V.

4 “(2) For purposes of limitations under this Act, any
5 expenditure by a candidate referred to in paragraph (1),
6 including an expenditure for the preparation, production,
7 or presentation of communications through electronic
8 media or in written form, shall, regardless of when the
9 expenditure is made, be attributed to the appropriate gen-
10 eral election, unless such expenditure is made solely for
11 an election other than a general election.”.

12 **TITLE V—CONSIDERATION OF** 13 **CONSTITUTIONAL AMENDMENT**

14 **SEC. 501. EXPEDITED CONSIDERATION OF CONSTITU-** 15 **TIONAL AMENDMENT.**

16 (a) IN GENERAL.—If any provision of this Act or any
17 amendment made by this Act is found unconstitutional by
18 the Supreme Court, the provisions of section 2908 (other
19 than subsection (a)) of the Defense Base Closure and Re-
20 alignment Act of 1990 shall apply to the consideration of
21 a joint resolution described in section 502 in the same
22 manner as such provisions apply to a joint resolution de-
23 scribed in section 2908(a) of such Act.

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

4 (1) Any reference to the Committee on Armed
5 Services of the House of Representatives shall be
6 deemed a reference to the Committee on the Judici-
7 ary of the House of Representatives and any ref-
8 erence to the Committee on Armed Services of the
9 Senate shall be deemed a reference to the Committee
10 on the Judiciary of the Senate.

11 (2) Any reference to the date on which the
12 President transmits a report shall be deemed a ref-
13 erence to the date on which the Supreme Court finds
14 a provision of this Act or an amendment made by
15 this Act unconstitutional.

16 **SEC. 502. CONSTITUTIONAL AMENDMENT DESCRIBED.**

17 For purposes of section 501, a joint resolution de-
18 scribed in this section is a joint resolution proposing the
19 following text as an amendment to the Constitution of the
20 United States:

21 “ARTICLE —

22 “SEC. 1. Congress may provide for reasonable restric-
23 tions on contributions, expenditures, and other disburse-
24 ments in campaigns for election for Federal office as nec-
25 essary to protect the integrity of the electoral process.

1 “SEC. 2. Congress shall have power to enforce this
2 article by appropriate legislation. No legislation enacted
3 to enforce this article shall apply with respect to any elec-
4 tion held after the last day of the year of the fourth Presi-
5 dential election held after the date of the enactment of
6 the legislation, unless the period in which such legislation
7 is in effect is extended by an Act of Congress which is
8 signed into law by the President.”.

9 **TITLE VI—GENERAL EFFECTIVE**
10 **DATE; SUNSET**

11 **SEC. 601. GENERAL EFFECTIVE DATE; SUNSET.**

12 This Act and the amendments made by this Act—

13 (1) except as otherwise specifically provided,
14 shall take effect January 1, 2013; and

15 (2) shall remain in effect until December 31,
16 2026.

