

or developmental disability exists is critical, and we still have some way to go in ensuring that residents with these problems receive appropriate placement and treatment in all cases.

However, the annual resident review process duplicates other mandatory assessments and has not resulted in identifying inappropriate placements or improving the quality of care for nursing home residents. The current law adds an average of \$700,000 to State costs for long-term care and diverts valuable nursing facility resources. We must continue to work to ensure that nursing home residents receive the quality care they need, but we should not do so by placing unnecessary or ineffective burdens on nursing facilities and their staffs.

My bill would retain the pre-admission screening for each resident, but would repeal the annual resident review requirement for each patient. This would go a long way toward streamlining the regulatory process and allowing nursing homes to focus more time on providing quality care.

I hope my colleagues will join me in supporting these sound policy proposals.

#### ADDITIONAL COSPONSORS

S. 814

At the request of Mr. MCCAIN, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 814, a bill to provide for the reorganization of the Bureau of Indian Affairs, and for other purposes.

S. 1607

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri [Mr. ASHCROFT] was added as a cosponsor of S. 1607, a bill to control access to precursor chemicals used to manufacture methamphetamine and other illicit narcotics, and for other purposes.

S. 1799

At the request of Ms. SNOWE, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1799, a bill to promote greater equity in the delivery of health care services to American women through expanded research on women's health issues and through improved access to health care services, including preventive health services.

S. 1806

At the request of Mr. D'AMATO, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1806, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify that any dietary supplement that claims to produce euphoria, heightened awareness or similar mental or psychological effects shall be treated as a drug under the act, and for other purposes.

SENATE RESOLUTION 270

At the request of Mr. LIEBERMAN, the names of the Senator from Utah [Mr. HATCH], and the Senator from Michigan [Mr. LEVIN] were added as cospon-

sors of Senate Resolution 270, a resolution urging continued and increased United States support for the efforts of the International Criminal Tribunal for the former Yugoslavia to bring to justice the perpetrators of gross violations of international law in the former Yugoslavia.

#### AMENDMENTS SUBMITTED

##### THE SENATE CAMPAIGN FINANCE REFORM ACT OF 1996

###### HOLLINGS AMENDMENT NO. 4093

(Ordered to lie on the table.)

Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill (S. 1219) to reform the financing of Federal elections, and for other purposes; as follows:

At the appropriate place insert the following:

**SEC. . SENSE OF THE SENATE THAT CONGRESS SHOULD ADOPT A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION THAT WOULD EMPOWER CONGRESS AND THE STATES TO SET REASONABLE LIMITS ON CAMPAIGN EXPENDITURES**

It is the sense of the Senate that Congress should adopt a joint resolution proposing an amendment to the Constitution that would—

(1) empower Congress to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for Federal office; and

(2) empower the States to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for State or local office,

(3) empower local governments of general jurisdiction to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general or other election for office in that government.

###### BUMPERS AMENDMENT NO. 4094

(Ordered to lie on the table.)

Mr. BUMPERS submitted an amendment intended to be proposed by him to the bill, S. 1219, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "Senate Campaign Financing and Spending Reform Act".

(b) AMENDMENT OF FECA.—When used in this Act, the term "FECA" means the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

Sec. 2. Findings and declarations of the Senate.

##### TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

Sec. 101. Senate spending limits and benefits.

Sec. 102. Ban on activities of political action committees in Federal elections.

Sec. 103. Reporting requirements.

Sec. 104. Disclosure by noneligible candidates.

Subtitle B—General Provisions

Sec. 131. Broadcast rates and preemption.

Sec. 132. Extension of reduced third-class mailing rates to eligible Senate candidates.

Sec. 133. Reporting requirements for certain independent expenditures.

Sec. 134. Campaign advertising amendments.

Sec. 135. Definitions.

Sec. 136. Provisions relating to franked mass mailings.

##### TITLE II—INDEPENDENT EXPENDITURES

Sec. 201. Clarification of definitions relating to independent expenditures.

##### TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

Sec. 301. Personal contributions and loans.

Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Sec. 311. Reporting requirements.

##### TITLE IV—CONTRIBUTIONS

Sec. 401. Contributions through intermediaries and conduits; prohibition on certain contributions by lobbyists.

Sec. 402. Contributions by dependents not of voting age.

Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.

Sec. 404. Limited exclusion of advances by campaign workers from the definition of the term "contribution".

##### TITLE V—REPORTING REQUIREMENTS

Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.

Sec. 502. Personal and consulting services.

Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.

Sec. 504. Computerized indices of contributions.

##### TITLE VI—FEDERAL ELECTION COMMISSION

Sec. 601. Use of candidates' names.

Sec. 602. Reporting requirements.

Sec. 603. Provisions relating to the general counsel of the Commission.

Sec. 604. Enforcement.

Sec. 605. Penalties.

Sec. 606. Random audits.

Sec. 607. Prohibition of false representation to solicit contributions.

Sec. 608. Regulations relating to use of non-Federal money.

##### TITLE VII—MISCELLANEOUS

Sec. 701. Prohibition of leadership committees.

Sec. 702. Polling data contributed to candidates.

Sec. 703. Sense of the Senate that Congress should consider adoption of a joint resolution proposing an amendment to the Constitution that would empower Congress and the States to set reasonable limits on campaign expenditures.

Sec. 704. Personal use of campaign funds.

##### TITLE VIII—EFFECTIVE DATES; AUTHORIZATIONS

Sec. 801. Effective date.

Sec. 802. Severability.

Sec. 803. Expedited review of constitutional issues.

**SEC. 2. FINDINGS AND DECLARATIONS OF THE SENATE.**

(a) **NECESSITY FOR SPENDING LIMITS.**—The Senate finds and declares that—

(1) the current system of campaign finance has led to public perceptions that political contributions and their solicitation have unduly influenced the official conduct of elected officials;

(2) permitting candidates for Federal office to raise and spend unlimited amounts of money constitutes a fundamental flaw in the current system of campaign finance, and has undermined public respect for the Senate as an institution;

(3) the failure to limit campaign expenditures has caused individuals elected to the Senate to spend an increasing proportion of their time in office as elected officials raising funds, interfering with the ability of the Senate to carry out its constitutional responsibilities;

(4) the failure to limit campaign expenditures has damaged the Senate as an institution, due to the time lost to raising funds for campaigns; and

(5) to prevent the appearance of undue influence and to restore public trust in the Senate as an institution, it is necessary to limit campaign expenditures, through a system which provides public benefits to candidates who agree to limit campaign expenditures.

(b) **NECESSITY FOR BAN ON POLITICAL ACTION COMMITTEES.**—The Senate finds and declares that—

(1) contributions by political action committees to individual candidates have created the perception that candidates are beholden to special interests, and leave candidates open to charges of undue influence;

(2) contributions by political action committees to individual candidates have undermined public confidence in the Senate as an institution; and

(3) to restore public trust in the Senate as an institution, responsive to individuals residing within the respective States, it is necessary to encourage candidates to raise most of their campaign funds from individuals residing within those States.

(c) **NECESSITY FOR ATTRIBUTING COOPERATIVE EXPENDITURES TO CANDIDATES.**—The Senate finds and declares that—

(1) public confidence and trust in the system of campaign finance would be undermined should any candidate be able to circumvent a system of caps on expenditures through cooperative expenditures with outside individuals, groups, or organizations;

(2) cooperative expenditures by candidates with outside individuals, groups, or organizations would severely undermine the effectiveness of caps on campaign expenditures, unless they are included within such caps; and

(3) to maintain the integrity of the system of campaign finance, expenditures by any individual, group, or organization that have been made in cooperation with any candidate, authorized committee, or agent of any candidate must be attributed to that candidate's cap on campaign expenditures.

**TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING****Subtitle A—Senate Election Campaign Spending Limits and Benefits****SEC. 101. SENATE SPENDING LIMITS AND BENEFITS.**

(a) **AMENDMENT OF FECA.**—

(1) **IN GENERAL.**—FECA is amended by adding at the end the following new title:

**“TITLE V—SPENDING LIMITS AND BENEFITS FOR SENATE ELECTION CAMPAIGNS****“SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.**

“(a) **IN GENERAL.**—For purposes of this title, a candidate is an eligible Senate candidate if the candidate—

“(1) meets the primary and general election filing requirements of subsections (b) and (c);

“(2) meets the primary and runoff election expenditure limits of subsection (d); and

“(3) meets the threshold contribution requirements of subsection (e).

“(b) **PRIMARY FILING REQUIREMENTS.**—(1) The requirements of this subsection are met if the candidate files with the Secretary of the Senate a declaration that—

“(A) the candidate and the candidate's authorized committees—

“(i) (I) will meet the primary and runoff election expenditure limits of subsection (d); and

“(II) will only accept contributions for the primary and runoff elections which do not exceed such limits;

“(ii) (I) will meet the primary and runoff election multicandidate political committee contribution limits of subsection (f); and

“(II) will only accept contributions for the primary and runoff elections from multicandidate political committees which do not exceed such limits; and

“(iii) will limit acceptance of contributions during an election cycle from individuals residing outside the candidate's State and multicandidate political committees, combined, to less than 50 percent of the aggregate amount of contributions accepted from all contributors;

“(B) the candidate and the candidate's authorized committees will meet the general election expenditure limit under section 502(b); and

“(C) the candidate and the candidate's authorized committees will meet the limitation on expenditures from personal funds under section 502(a).

“(2) The declaration under paragraph (1) shall be filed not later than the date the candidate files as a candidate for the primary election.

“(c) **GENERAL ELECTION FILING REQUIREMENTS.**—(1) The requirements of this subsection are met if the candidate files a certification with the Secretary of the Senate under penalty of perjury that—

“(A) the candidate and the candidate's authorized committees—

“(i) (I) met the primary and runoff election expenditure limits under subsection (d); and

“(II) did not accept contributions for the primary or runoff election in excess of the primary or runoff expenditure limit under subsection (d), whichever is applicable, reduced by any amounts transferred to this election cycle from a preceding election cycle; and

“(ii) (I) met the multicandidate political committee contribution limits under subsection (f);

“(II) did not accept contributions for the primary or runoff election in excess of the multicandidate political committee contribution limits under subsection (f); and

“(iii) will limit acceptance of contributions during an election cycle from individuals residing outside the candidate's State and multicandidate political committees, combined, to less than 50 percent of the aggregate amount of contributions accepted from all contributors;

“(B) the candidate met the threshold contribution requirement under subsection (e), and that only allowable contributions were taken into account in meeting such requirement;

“(C) at least one other candidate has qualified for the same general election ballot under the law of the State involved;

“(D) such candidate and the authorized committees of such candidate—

“(i) except as otherwise provided by this title, will not make expenditures which exceed the general election expenditure limit under section 502(b);

“(ii) will not accept any contributions in violation of section 315;

“(iii) except as otherwise provided by this title, will not accept any contribution for the general election involved to the extent that such contribution would cause the aggregate amount of such contributions to exceed the sum of the amount of the general election expenditure limit under section 502(b) and the amount described in section 502(c), reduced by any amounts transferred to the current election cycle from a previous election cycle and not taken into account under subparagraph (A)(ii);

“(iv) will deposit all payments received under this title in an account insured by the Federal Deposit Insurance Corporation from which funds may be withdrawn by check or similar means of payment to third parties;

“(v) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission; and

“(vi) will cooperate in the case of any audit and examination by the Commission under section 506; and

“(E) the candidate intends to make use of the benefits provided under section 503.

“(2) The declaration under paragraph (1) shall be filed not later than 7 days after the earlier of—

“(A) the date the candidate qualifies for the general election ballot under State law; or

“(B) if, under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

“(d) **PRIMARY AND RUNOFF EXPENDITURE LIMITS.**—(1) The requirements of this subsection are met if:

“(A) The candidate or the candidate's authorized committees did not make expenditures for the primary election in excess of the lesser of—

“(i) 67 percent of the general election expenditure limit under section 502(b); or

“(ii) \$2,750,000.

“(B) The candidate and the candidate's authorized committees did not make expenditures for any runoff election in excess of 20 percent of the general election expenditure limit under section 502(b).

“(2) The limitations under subparagraphs (A) and (B) of paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on behalf of any opponent of, such candidate during the primary or runoff election period, whichever is applicable, which are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

“(3) (A) If the contributions received by the candidate or the candidate's authorized committees for the primary election or runoff election exceed the expenditures for either such election, such excess contributions shall be treated as contributions for the general election and expenditures for the general election may be made from such excess contributions.

“(B) Subparagraph (A) shall not apply to the extent that such treatment of excess contributions—

“(i) would result in the violation of any limitation under section 315; or

“(ii) would cause the aggregate contributions received for the general election to exceed the limits under subsection (c)(1)(D)(iii).

“(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate and the candidate's authorized committees have received allowable contributions during the applicable period in an amount at least equal to the lesser of—

“(A) 10 percent of the general election expenditure limit under section 502(b); or

“(B) \$250,000.

“(2) For purposes of this section and section 503(b)—

“(A) The term ‘allowable contributions’ means contributions which are made as gifts of money by an individual pursuant to a written instrument identifying such individual as the contributor.

“(B) The term ‘allowable contributions’ shall not include—

“(i) contributions made directly or indirectly through an intermediary or conduit which are treated as made by such intermediary or conduit under section 315(a)(8)(B);

“(ii) contributions from any individual during the applicable period to the extent such contributions exceed \$250; or

“(iii) contributions from individuals residing outside the candidate's State to the extent such contributions exceed 50 percent of the aggregate allowable contributions (without regard to this clause) received by the candidate during the applicable period.

Clauses (ii) and (iii) shall not apply for purposes of section 503(b).

“(3) For purposes of this subsection and section 503(b), the term ‘applicable period’ means—

“(A) the period beginning on January 1 of the calendar year preceding the calendar year of the general election involved and ending on—

“(i) the date on which the certification under subsection (c) is filed by the candidate; or

“(ii) for purposes of section 503(b), the date of such general election; or

“(B) in the case of a special election for the office of United States Senator, the period beginning on the date the vacancy in such office occurs and ending on the date of the general election involved.

“(f) MULTICANDIDATE POLITICAL COMMITTEE CONTRIBUTION LIMITS.—The requirements of this subsection are met if the candidate and the candidate's authorized committees have accepted from multicandidate political committees contributions that do not exceed—

“(1) during any period in which the limitation under section 323 is in effect, zero dollars; and

“(2) during any other period—

“(A) during the primary election period, an amount equal to 20 percent of the primary election spending limit under subsection (d)(1)(A); and

“(B) during the runoff election period, an amount equal to 20 percent of the runoff election spending limit under subsection (d)(1)(B).

“(g) INDEXING.—The \$2,750,000 amount under subsection (d)(1) shall be increased as of the beginning of each calendar year beginning with calendar year 1998, based on the increase in the price index determined under section 315(c), except that, for purposes of subsection (d)(1), the base period shall be calendar year 1992.

**“SEC. 502. LIMITATIONS ON EXPENDITURES.**

“(a) LIMITATION ON USE OF PERSONAL FUNDS.—(1) The aggregate amount of expenditures which may be made during an election cycle by an eligible Senate candidate or such

candidate's authorized committees from the sources described in paragraph (2) shall not exceed \$25,000.

“(2) A source is described in this paragraph if it is—

“(A) personal funds of the candidate and members of the candidate's immediate family; or

“(B) personal debt incurred by the candidate and members of the candidate's immediate family.

“(b) GENERAL ELECTION EXPENDITURE LIMIT.—(1) Except as otherwise provided in this title, the aggregate amount of expenditures for a general election by an eligible Senate candidate and the candidate's authorized committees shall not exceed the lesser of—

“(A) \$5,500,000; or

“(B) the greater of—

“(i) \$950,000; or

“(ii) \$400,000; plus

“(I) 30 cents multiplied by the voting age population not in excess of 4,000,000; and

“(II) 25 cents multiplied by the voting age population in excess of 4,000,000.

“(2) In the case of an eligible Senate candidate in a State which has no more than 1 transmitter for a commercial Very High Frequency (VHF) television station licensed to operate in that State, paragraph (1)(B)(ii) shall be applied by substituting—

“(A) ‘80 cents’ for ‘30 cents’ in subclause (I); and

“(B) ‘70 cents’ for ‘25 cents’ in subclause (II).

“(3) The amount otherwise determined under paragraph (1) for any calendar year shall be increased by the same percentage as the percentage increase for such calendar year under section 501(f) (relating to indexing).

“(c) PAYMENT OF TAXES.—The limitation under subsection (b) shall not apply to any expenditure for Federal, State, or local taxes with respect to a candidate's authorized committees.

“(d) EXPENDITURES.—For purposes of this title, the term ‘expenditure’ has the meaning given such term by section 301(9), except that in determining any expenditures made by, or on behalf of, a candidate or a candidate's authorized committees, section 301(9)(B) shall be applied without regard to clause (ii) or (vi) thereof.

**“SEC. 503. BENEFITS ELIGIBLE CANDIDATE ENTITLED TO RECEIVE.**

“(a) IN GENERAL.—An eligible Senate candidate shall be entitled to—

“(1) the broadcast media rates provided under section 315(b) of the Communications Act of 1934;

“(2) the mailing rates provided in section 3626(e) of title 39, United States Code; and

“(3) payments in the amounts determined under subsection (b).

“(b) AMOUNT OF PAYMENTS.—(1) For purposes of subsection (a)(3), the amounts determined under this subsection are—

“(A) the public financing amount;

“(B) the independent expenditure amount; and

“(C) in the case of an eligible Senate candidate who has an opponent in the general election who receives contributions, or makes (or obligates to make) expenditures, for such election in excess of the general election expenditure limit under section 502(b), the excess expenditure amount.

“(2) For purposes of paragraph (1), the public financing amount is—

“(A) in the case of an eligible candidate who is a major party candidate and who has met the threshold requirement of section 501(e)—

“(i) during the primary election period, an amount equal to 100 percent of the amount of contributions received during that period

from individuals residing in the candidate's State in the aggregate amount of \$100 or less plus an amount equal to 50 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of more than \$100 but less than \$251, up to 50 percent of the primary election spending limit under section 501(d)(1)(A), reduced by the threshold requirement under section 501(e);

(ii) during the runoff election period, an amount equal to 100 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of \$100 or less plus an amount equal to 50 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of more than \$100 but less than \$251, up to 10 percent of the general election spending limit under section 501(d)(1)(B); and

(iii) during the general election period, an amount equal to the general election expenditure limit applicable to the candidate under section 502(b) (without regard to paragraph (4) thereof); and

“(B) in the case of an eligible candidate who is not a major party candidate and who has met the threshold requirement of section 501(e)—

“(i) during the primary election period, an amount equal to 100 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of \$100 or less plus an amount equal to 50 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of more than \$100 but less than \$251, up to 50 percent of the primary election spending limit under section 501(d)(1)(A), reduced by the threshold requirement under section 501(e);

(ii) during the runoff election period, an amount equal to 100 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of \$100 or less plus an amount equal to 50 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of more than \$100 but less than \$251, up to 10 percent of the general election spending limit under section 501(d)(1)(B); and

(iii) during the runoff election period, an amount equal to 100 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of \$100 or less plus an amount equal to 50 percent of the amount of contributions received during that period from individuals residing in the candidate's State in the aggregate amount of more than \$100 but less than \$251, up to 50 percent of the general election spending limit under section 502(b).

“(3) For purposes of paragraph (1), the independent expenditure amount is the total amount of independent expenditures made, or obligated to be made, during the general election period by 1 or more persons in opposition to, or on behalf of an opponent of, an eligible Senate candidate which are required to be reported by such persons under section 304(c) with respect to the general election period and are certified by the Commission under section 304(c).

“(4) For purposes of paragraph (1), the excess expenditure amount is the amount determined as follows:

“(A) In the case of a major party candidate, an amount equal to the sum of—

“(i) if the excess described in paragraph (1)(C) is not greater than 133⅓ percent of the

general election expenditure limit under section 502(b), an amount equal to one-third of such limit applicable to the eligible Senate candidate for the election; plus

“(ii) if such excess equals or exceeds 133½ percent but is less than 166⅔ percent of such limit, an amount equal to one-third of such limit; plus

“(iii) if such excess equals or exceeds 166⅔ percent of such limit, an amount equal to one-third of such limit.

“(B) In the case of an eligible Senate candidate who is not a major party candidate, an amount equal to the least of the following:

“(i) The allowable contributions of the eligible Senate candidate during the applicable period in excess of the threshold contribution requirement under section 501(e).

“(ii) 50 percent of the general election expenditure limit applicable to the eligible Senate candidate under section 502(b).

“(iii) The excess described in paragraph (1).

“(C) **WAIVER OF EXPENDITURE AND CONTRIBUTION LIMITS.**—(1) An eligible Senate candidate who receives payments under subsection (a)(3) which are allocable to the independent expenditure or excess expenditure amounts described in paragraphs (3) and (4) of subsection (b) may make expenditures from such payments to defray expenditures for the general election without regard to the general election expenditure limit under section 502(b).

“(2)(A) An eligible Senate candidate who receives benefits under this section may make expenditures for the general election without regard to clause (i) of section 501(c)(1)(D) or subsection (a) or (b) of section 502 if any one of the eligible Senate candidate's opponents who is not an eligible Senate candidate either raises aggregate contributions, or makes or becomes obligated to make aggregate expenditures, for the general election that exceed 200 percent of the general election expenditure limit applicable to the eligible Senate candidate under section 502(b).

“(B) The amount of the expenditures which may be made by reason of subparagraph (A) shall not exceed 100 percent of the general election expenditure limit under section 502(b).

“(3)(A) A candidate who receives benefits under this section may receive contributions for the general election without regard to clause (iii) of section 501(c)(1)(D) if—

“(i) a major party candidate in the same general election is not an eligible Senate candidate; or

“(ii) any other candidate in the same general election who is not an eligible Senate candidate raises aggregate contributions, or makes or becomes obligated to make aggregate expenditures, for the general election that exceed 75 percent of the general election expenditure limit applicable to such other candidate under section 502(b).

“(B) The amount of contributions which may be received by reason of subparagraph (A) shall not exceed 100 percent of the general election expenditure limit under section 502(b).

“(d) **USE OF PAYMENTS.**—Payments received by a candidate under subsection (a)(3) shall be used to defray expenditures incurred with respect to the general election period of the candidate. Such payments shall not be used—

“(1) except as provided in paragraph (4), to make any payments, directly or indirectly, to such candidate or to any member of the immediate family of such candidate;

“(2) to make any expenditure other than expenditures to further the general election of such candidate;

“(3) to make any expenditures which constitute a violation of any law of the United

States or of the State in which the expenditure is made; or

“(4) subject to the provisions of section 315(k), to repay any loan to any person except to the extent the proceeds of such loan were used to further the general election of such candidate.

**“SEC. 504. CERTIFICATION BY COMMISSION.**

“(a) **IN GENERAL.**—(1) The Commission shall certify to any candidate meeting the requirements of section 501 that such candidate is an eligible Senate candidate entitled to benefits under this title. The Commission shall revoke such certification if it determines a candidate fails to continue to meet such requirements.

“(2) No later than 48 hours after an eligible Senate candidate files a request with the Secretary of the Senate to receive benefits under section 501, the Commission shall issue a certification stating whether such candidate is eligible for payments under this title and the amount of such payments to which such candidate is entitled. The request referred to in the preceding sentence shall contain—

“(A) such information and be made in accordance with such procedures as the Commission may provide by regulation; and

“(B) a verification signed by the candidate and the treasurer of the principal campaign committee of such candidate stating that the information furnished in support of the request, to the best of their knowledge, is correct and fully satisfies the requirements of this title.

“(b) **DETERMINATIONS BY COMMISSION.**—All determinations (including certifications under subsection (a)) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 505 and judicial review under section 506.

**“SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS; CIVIL PENALTIES.**

“(a) **EXAMINATION AND AUDITS.**—(1) After each general election, the Commission shall conduct an examination and audit of the campaign accounts of 10 percent of all candidates for the office of United States Senator to determine, among other things, whether such candidates have complied with the expenditure limits and conditions of eligibility of this title, and other requirements of this Act. Such candidates shall be designated by the Commission through the use of an appropriate statistical method of random selection. If the Commission selects a candidate, the Commission shall examine and audit the campaign accounts of all other candidates in the general election for the office the selected candidate is seeking.

“(2) The Commission may conduct an examination and audit of the campaign accounts of any candidate in a general election for the office of United States Senator if the Commission determines that there exists reason to believe that such candidate may have violated any provision of this title.

“(b) **EXCESS PAYMENTS; REVOCATION OF STATUS.**—(1) If the Commission determines that payments were made to an eligible Senate candidate under this title in excess of the aggregate amounts to which such candidate was entitled, the Commission shall so notify such candidate, and such candidate shall pay an amount equal to the excess.

“(2) If the Commission revokes the certification of a candidate as an eligible Senate candidate under section 504(a)(1), the Commission shall notify the candidate, and the candidate shall pay an amount equal to the payments received under this title.

“(c) **MISUSE OF BENEFITS.**—If the Commission determines that any amount of any benefit made available to an eligible Senate can-

didate under this title was not used as provided for in this title, the Commission shall so notify such candidate and such candidate shall pay the amount of such benefit.

“(d) **EXCESS EXPENDITURES.**—If the Commission determines that any eligible Senate candidate who has received benefits under this title has made expenditures which in the aggregate exceed—

“(1) the primary or runoff expenditure limit under section 501(d); or

“(2) the general election expenditure limit under section 502(b),

the Commission shall so notify such candidate and such candidate shall pay an amount equal to the amount of the excess expenditures.

“(e) **CIVIL PENALTIES FOR EXCESS EXPENDITURES AND CONTRIBUTIONS.**—(1) If the Commission determines that a candidate has committed a violation described in subsection (c), the Commission may assess a civil penalty against such candidate in an amount not greater than 200 percent of the amount involved.

“(2)(A) **LOW AMOUNT OF EXCESS EXPENDITURES.**—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by 2.5 percent or less shall pay an amount equal to the amount of the excess expenditures.

“(B) **MEDIUM AMOUNT OF EXCESS EXPENDITURES.**—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by more than 2.5 percent and less than 5 percent shall pay an amount equal to three times the amount of the excess expenditures.

“(C) **LARGE AMOUNT OF EXCESS EXPENDITURES.**—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by 5 percent or more shall pay an amount equal to three times the amount of the excess expenditures plus a civil penalty in an amount determined by the Commission.

“(f) **UNEXPENDED FUNDS.**—Any amount received by an eligible Senate candidate under this title may be retained for a period not exceeding 120 days after the date of the general election for the liquidation of all obligations to pay expenditures for the general election incurred during the general election period. At the end of such 120-day period, any unexpended funds received under this title shall be promptly repaid.

“(g) **LIMIT ON PERIOD FOR NOTIFICATION.**—No notification shall be made by the Commission under this section with respect to an election more than three years after the date of such election.

“(h) **DEPOSITS.**—The Secretary shall deposit all payments received under this section into the Senate Election Campaign Fund.

**“SEC. 506. JUDICIAL REVIEW.**

“(a) **JUDICIAL REVIEW.**—Any agency action by the Commission made under the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within thirty days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

“(b) **APPLICATION OF TITLE 5.**—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

“(c) **AGENCY ACTION.**—For purposes of this section, the term ‘agency action’ has the

meaning given such term by section 551(13) of title 5, United States Code.

**“SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.**

“(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 506 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

“(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary.

“(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

“(d) APPEALS.—The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

**“SEC. 508. REPORTS TO CONGRESS; REGULATIONS.**

“(a) REPORTS.—The Commission shall, as soon as practicable after each election, submit a full report to the Senate setting forth—

“(1) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible Senate candidate and the authorized committees of such candidate;

“(2) the amounts certified by the Commission under section 504 as benefits available to each eligible Senate candidate;

“(3) the amount of repayments, if any, required under section 505 and the reasons for each repayment required; and

“(4) the balance in the Senate Election Campaign Fund, and the balance in any account maintained by the Fund.

Each report submitted pursuant to this section shall be printed as a Senate document.

“(b) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (c), to conduct such examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

“(c) STATEMENT TO SENATE.—Thirty days before prescribing any rules or regulation under subsection (b), the Commission shall transmit to the Senate a statement setting forth the proposed rule or regulation and containing a detailed explanation and justification of such rule or regulation.

**“SEC. 509. PAYMENTS RELATING TO ELIGIBLE CANDIDATES.**

“(a) ESTABLISHMENT OF CAMPAIGN FUND.—(1) There is established on the books of the Treasury of the United States a special fund to be known as the ‘Senate Election Campaign Fund’.

“(2)(A) There are appropriated to the Fund for each fiscal year, out of amounts in the general fund of the Treasury not otherwise appropriated, amounts equal to—

“(i) any contributions by persons which are specifically designated as being made to the Fund;

“(ii) amounts collected under section 505(h); and

“(iii) any other amounts that may be appropriated to or deposited into the Fund under this title.

“(B) The Secretary of the Treasury shall, from time to time, transfer to the Fund an amount not in excess of the amounts described in subparagraph (A).

“(C) Amounts in the Fund shall remain available without fiscal year limitation.

“(3) Amounts in the Fund shall be available only for the purposes of—

“(A) making payments required under this title; and

“(B) making expenditures in connection with the administration of the Fund.

“(4) The Secretary shall maintain such accounts in the Fund as may be required by this title or which the Secretary determines to be necessary to carry out the provisions of this title.

“(b) PAYMENTS UPON CERTIFICATION.—Upon receipt of a certification from the Commission under section 504, except as provided in subsection (d), the Secretary shall promptly pay the amount certified by the Commission to the candidate out of the Senate Election Campaign Fund.

“(c) REDUCTIONS IN PAYMENTS IF FUNDS INSUFFICIENT.—(1) If, at the time of a certification by the Commission under section 504 for payment to an eligible candidate, the Secretary determines that the monies in the Senate Election Campaign Fund are not, or may not be, sufficient to satisfy the full entitlement of all eligible candidates, the Secretary shall withhold from the amount of such payment such amount as the Secretary determines to be necessary to assure that each eligible candidate will receive the same pro rata share of such candidate’s full entitlement.

“(2) Amounts withheld under subparagraph (A) shall be paid when the Secretary determines that there are sufficient monies in the Fund to pay all, or a portion thereof, to all eligible candidates from whom amounts have been withheld, except that if only a portion is to be paid, it shall be paid in such manner that each eligible candidate receives an equal pro rata share of such portion.

“(3)(A) Not later than December 31 of any calendar year preceding a calendar year in which there is a regularly scheduled general election, the Secretary, after consultation with the Commission, shall make an estimate of—

“(i) the amount of monies in the fund which will be available to make payments required by this title in the succeeding calendar year; and

“(ii) the amount of payments which will be required under this title in such calendar year.

“(B) If the Secretary determines that there will be insufficient monies in the fund to make the payments required by this title for any calendar year, the Secretary shall notify each candidate on January 1 of such calendar year (or, if later, the date on which an individual becomes a candidate) of the amount which the Secretary estimates will be the pro rata reduction in each eligible candidate’s payments under this subsection. Such notice shall be by registered mail.

“(C) The amount of the eligible candidate’s contribution limit under section 501(c)(1)(D)(iii) shall be increased by the amount of the estimated pro rata reduction.

“(4) The Secretary shall notify the Commission and each eligible candidate by registered mail of any actual reduction in the amount of any payment by reason of this subsection. If the amount of the reduction exceeds the amount estimated under paragraph (3), the candidate’s contribution limit under section 501(c)(1)(D)(iii) shall be increased by the amount of such excess.”.

(2) EFFECTIVE DATES.—(A) Except as provided in this paragraph, the amendment made by paragraph (1) shall apply to elections occurring after December 31, 1995.

(B) For purposes of any expenditure or contribution limit imposed by the amendment made by paragraph (1)—

(i) no expenditure made before January 1, 1996, shall be taken into account, except that there shall be taken into account any such expenditure for goods or services to be provided after such date; and

(ii) all cash, cash items, and Government securities on hand as of January 1, 1996, shall be taken into account in determining whether the contribution limit is met, except that there shall not be taken into account amounts used during the 60-day period beginning on January 1, 1996, to pay for expenditures which were incurred (but unpaid) before such date.

(3) EFFECT OF INVALIDITY ON OTHER PROVISIONS OF ACT.—If section 501, 502, or 503 of title V of FECA (as added by this section), or any part thereof, is held to be invalid, all provisions of, and amendments made by, this Act shall be treated as invalid.

(b) PROVISIONS TO FACILITATE VOLUNTARY CONTRIBUTIONS TO SENATE ELECTION CAMPAIGN FUND.—

(1) GENERAL RULE.—Part VIII of subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to returns and records) is amended by adding at the end the following:

**“Subpart B—Designation of Additional Amounts to Senate Election Campaign Fund**

“Sec. 6097. Designation of additional amounts.

**“SEC. 6097. DESIGNATION OF ADDITIONAL AMOUNTS.**

“(a) GENERAL RULE.—Every individual (other than a nonresident alien) who files an income tax return for any taxable year may designate an additional amount equal to \$5 (\$10 in the case of a joint return) to be paid over to the Senate Election Campaign Fund.

“(b) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made for any taxable year only at the time of filing the income tax return for the taxable year. Such designation shall be made on the page bearing the taxpayer’s signature.

“(c) TREATMENT OF ADDITIONAL AMOUNTS.—Any additional amount designated under subsection (a) for any taxable year shall, for all purposes of law, be treated as an additional income tax imposed by chapter 1 for such taxable year.

“(d) INCOME TAX RETURN.—For purposes of this section, the term ‘income tax return’ means the return of the tax imposed by chapter 1.”.

(2) CONFORMING AMENDMENTS.—(A) Part VIII of subchapter A of chapter 61 of such Code is amended by striking the heading and inserting:

**“PART VIII—DESIGNATION OF AMOUNTS TO ELECTION CAMPAIGN FUNDS**

“Subpart A. Presidential Election Campaign Fund.

“Subpart B. Designation of additional amounts to Senate Election Campaign Fund.

**“Subpart A—Presidential Election Campaign Fund”.**

(B) The table of parts for subchapter A of chapter 61 of such Code is amended by striking the item relating to part VIII and inserting:

“Part VIII. Designation of amounts to election campaign funds.”

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1995.

**SEC. 102. BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES IN FEDERAL ELECTIONS.**

(a) IN GENERAL.—Title III of FECA (2 U.S.C. 431 et seq.), is amended by adding at the end thereof the following new section:

**"BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL ACTION COMMITTEES**

"SEC. 323. (a) Notwithstanding any other provision of this Act, no person other than an individual or a political committee may make contributions, solicit or receive contributions, or make expenditures for the purpose of influencing an election for Federal office.

"(b) In the case of individuals who are executive or administrative personnel of an employer—

"(1) no contributions may be made by such individuals—

"(A) to any political committees established and maintained by any political party; or

"(B) to any candidate for nomination for election, or election, to Federal office or the candidate's authorized committees,

unless such contributions are not being made at the direction of, or otherwise controlled or influenced by, the employer; and

"(2) the aggregate amount of such contributions by all such individuals in any calendar year shall not exceed—

"(A) \$20,000 in the case of such political committees; and

"(B) \$5,000 in the case of any such candidate and the candidate's authorized committees."

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Paragraph (4) of section 301 of FECA (2 U.S.C. 431(4)) is amended to read as follows:

"(4) The term 'political committee' means—

"(A) the principal campaign committee of a candidate;

"(B) any national, State, or district committee of a political party, including any subordinate committee thereof; and

"(C) any local committee of a political party which—

"(i) receives contributions aggregating in excess of \$5,000 during a calendar year;

"(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of \$5,000 during a calendar year;

"(iii) makes contributions or expenditures aggregating in excess of \$1,000 during a calendar year; or

"(D) any committee described in section 315(a)(8)(D)(i)(III)."

(2) Section 316(b)(2) of FECA (2 U.S.C. 441b(b)(2)) is amended by striking subparagraph (C).

(c) CANDIDATE'S COMMITTEES.—(1) Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end thereof the following new paragraph:

"(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee which is established or financed or maintained or controlled by any candidate or Federal officeholder shall be deemed to be an authorized committee of such candidate or officeholder. Nothing in this paragraph shall be construed to permit the establishment, financing, maintenance, or control of any committee which is prohibited by paragraph (3) or (6) of section 302(e)."

(2) Section 302(e)(3) of FECA (2 U.S.C. 432) is amended to read as follows:

"(3) No political committee that supports or has supported more than one candidate may be designated as an authorized committee, except that—

"(A) a candidate for the office of President nominated by a political party may des-

ignate the national committee of such political party as the candidate's principal campaign committee, but only if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

"(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee."

(d) RULES APPLICABLE WHEN BAN NOT IN EFFECT.—For purposes of the Federal Election Campaign Act of 1971, during any period beginning after the effective date in which the limitation under section 323 of such Act (as added by subsection (a)) is not in effect—

(1) the amendments made by subsections (a), (b), and (c) shall not be in effect;

(2) in the case of a candidate for election, or nomination for election, to Federal office (and such candidate's authorized committees), section 315(a)(2)(A) of FECA (2 U.S.C. 441a(a)(2)(A)) shall be applied by substituting "\$1,000" for "\$5,000";

(3) it shall be unlawful for a multicandidate political committee to make a contribution to a candidate for election, or nomination for election, to Federal office (or an authorized committee) to the extent that the making or accepting of the contribution will cause the amount of contributions received by the candidate and the candidate's authorized committees from multicandidate political committees to exceed the lesser of—

(A) \$825,000; or

(B) 20 percent of the aggregate Federal election spending limits applicable to the candidate for the election cycle.

The \$825,000 amount in paragraph (3) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c) of FECA, except that for purposes of paragraph (3), the base period shall be the calendar year 1996. A candidate or authorized committee that receives a contribution from a multicandidate political committee in excess of the amount allowed under paragraph (3) shall return the amount of such excess contribution to the contributor.

(e) RULE ENSURING PROHIBITION ON DIRECT CORPORATE AND LABOR SPENDING.—If section 316(a) of the Federal Election Campaign Act of 1971 is held to be invalid by reason of the amendments made by this section, then the amendments made by subsections (a), (b), and (c) of this section shall not apply to contributions by any political committee that is directly or indirectly established, administered, or supported by a connected organization which is a bank, corporation, or other organization described in such section 316(a).

(f) RESTRICTIONS ON CONTRIBUTIONS TO POLITICAL COMMITTEES.—Paragraphs (1)(C) and (2)(C) of section 315(a) of FECA (2 U.S.C. 441a(a)(1)(D) and (2)(D)) are each amended by striking "\$5,000" and inserting "\$1,000".

(g) EFFECTIVE DATES.—(1) Except as provided in paragraph (2), the amendments made by this section shall apply to elections (and the election cycles relating thereto) occurring after December 31, 1996.

(2) In applying the amendments made by this section, there shall not be taken into account—

(A) contributions made or received before January 1, 1996; or

(B) contributions made to, or received by, a candidate on or after January 1, 1996, to the extent such contributions are not greater than the excess (if any) of—

(i) such contributions received by any opponent of the candidate before January 1, 1996, over

(ii) such contributions received by the candidate before January 1, 1996.

**SEC. 103. REPORTING REQUIREMENTS.**

Title III of FECA is amended by inserting after section 304 the following new section:

**"REPORTING REQUIREMENTS FOR SENATE CANDIDATES**

"SEC. 304A. (a) CANDIDATE OTHER THAN ELIGIBLE SENATE CANDIDATE.—(1) Each candidate for the office of United States Senator who does not file a certification with the Secretary of the Senate under section 501(c) shall file with the Secretary of the Senate a declaration as to whether such candidate intends to make expenditures for the general election in excess of the general election expenditure limit applicable to an eligible Senate candidate under section 502(b). Such declaration shall be filed at the time provided in section 501(c)(2).

"(2) Any candidate for the United States Senate who qualifies for the ballot for a general election—

"(A) who is not an eligible Senate candidate under section 501; and

"(B) who either raises aggregate contributions, or makes or obligates to make aggregate expenditures, for the general election which exceed 75 percent of the general election expenditure limit applicable to an eligible Senate candidate under section 502(b),

shall file a report with the Secretary of the Senate within 24 hours after such contributions have been raised or such expenditures have been made or obligated to be made (or, if later, within 24 hours after the date of qualification for the general election ballot), setting forth the candidate's total contributions and total expenditures for such election as of such date. Thereafter, such candidate shall file additional reports (until such contributions or expenditures exceed 200 percent of such limit) with the Secretary of the Senate within 24 hours after each time additional contributions are raised, or expenditures are made or are obligated to be made, which in the aggregate exceed an amount equal to 10 percent of such limit and after the total contributions or expenditures exceed 133 $\frac{1}{3}$ %, 166 $\frac{2}{3}$ %, and 200 percent of such limit.

"(3) The Commission—

"(A) shall, within 24 hours of receipt of a declaration or report under paragraph (1) or (2), notify each eligible Senate candidate in the election involved about such declaration or report; and

"(B) if an opposing candidate has raised aggregate contributions, or made or has obligated to make aggregate expenditures, in excess of the applicable general election expenditure limit under section 502(b), shall certify, pursuant to the provisions of subsection (d), such eligibility for payment of any amount to which such eligible Senate candidate is entitled under section 503(a).

"(4) Notwithstanding the reporting requirements under this subsection, the Commission may make its own determination that a candidate in a general election who is not an eligible Senate candidate has raised aggregate contributions, or made or has obligated to make aggregate expenditures, in the amounts which would require a report under paragraph (2). The Commission shall, within 24 hours after making each such determination, notify each eligible Senate candidate in the general election involved about such determination, and shall, when such contributions or expenditures exceed the general election expenditure limit under section 502(b), certify (pursuant to the provisions of subsection (d)) such candidate's eligibility for payment of any amount under section 503(a).

"(b) REPORTS ON PERSONAL FUNDS.—(1) Any candidate for the United States Senate who during the election cycle expends more than the limitation under section 502(a) during

the election cycle from his personal funds, the funds of his immediate family, and personal loans incurred by the candidate and the candidate's immediate family shall file a report with the Secretary of the Senate within 24 hours after such expenditures have been made or loans incurred.

"(2) The Commission within 24 hours after a report has been filed under paragraph (1) shall notify each eligible Senate candidate in the election involved about each such report.

"(3) Notwithstanding the reporting requirements under this subsection, the Commission may make its own determination that a candidate for the United States Senate has made expenditures in excess of the amount under paragraph (1). The Commission within 24 hours after making such determination shall notify each eligible Senate candidate in the general election involved about each such determination.

"(c) CANDIDATES FOR OTHER OFFICES.—(1) Each individual—

"(A) who becomes a candidate for the office of United States Senator;

"(B) who, during the election cycle for such office, held any other Federal, State, or local office or was a candidate for such other office; and

"(C) who expended any amount during such election cycle before becoming a candidate for the office of United States Senator which would have been treated as an expenditure if such individual had been such a candidate, including amounts for activities to promote the image or name recognition of such individual,

shall, within 7 days of becoming a candidate for the office of United States Senator, report to the Secretary of the Senate the amount and nature of such expenditures.

"(2) Paragraph (1) shall not apply to any expenditures in connection with a Federal, State, or local election which has been held before the individual becomes a candidate for the office of United States Senator.

"(3) The Commission shall, as soon as practicable, make a determination as to whether the amounts included in the report under paragraph (1) were made for purposes of influencing the election of the individual to the office of United States Senator.

"(d) CERTIFICATIONS.—Notwithstanding section 505(a), the certification required by this section shall be made by the Commission on the basis of reports filed in accordance with the provisions of this Act, or on the basis of such Commission's own investigation or determination.

"(e) COPIES OF REPORTS AND PUBLIC INSPECTION.—The Secretary of the Senate shall transmit a copy of any report or filing received under this section or of title V (whenever a 24-hour response is required of the Commission) as soon as possible (but no later than 4 working hours of the Commission) after receipt of such report or filing, and shall make such report or filing available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such reports and filings in the same manner as the Commission under section 311(a)(5).

"(f) DEFINITIONS.—For purposes of this section, any term used in this section which is used in title V shall have the same meaning as when used in title V."

**SEC. 104. DISCLOSURE BY NONELIGIBLE CANDIDATES.**

Section 318 of FECA (2 U.S.C. 441d), as amended by section 133, is amended by adding at the end thereof the following:

"(e) If a broadcast, cablecast, or other communication is paid for or authorized by a candidate in the general election for the office of United States Senator who is not an eligible Senate candidate, or the authorized

committee of such candidate, such communication shall contain the following sentence: 'This candidate has not agreed to voluntary campaign spending limits.'"

**Subtitle B—General Provisions**

**SEC. 131. BROADCAST RATES AND PREEMPTION.**

(a) BROADCAST RATES.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) in paragraph (1)—

(A) by striking "forty-five" and inserting "30";

(B) by striking "sixty" and inserting "45"; and

(C) by striking "lowest unit charge of the station for the same class and amount of time for the same period" and inserting "lowest charge of the station for the same amount of time for the same period on the same date"; and

(2) by adding at the end the following new sentence:

"In the case of an eligible Senate candidate (as defined in section 301(19) of the Federal Election Campaign Act of 1971), the charges during the general election period (as defined in section 301(21) of such Act) shall not exceed 50 percent of the lowest charge described in paragraph (1)."

(b) PREEMPTION; ACCESS.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended by redesignating subsections (c) and (d) as subsections (e) and (f), respectively, and by inserting immediately after subsection (b) the following new subsection:

"(c)(1) Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1), of a broadcasting station by a legally qualified candidate for public office who has purchased and paid for such use pursuant to the provisions of subsection (b)(1).

"(2) If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted.

"(d) In the case of a legally qualified candidate for the United States Senate, a licensee shall provide broadcast time without regard to the rates charged for the time."

**SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING RATES TO ELIGIBLE SENATE CANDIDATES.**

Section 3626(e) of title 39, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) by striking "and the National" and inserting "the National"; and

(B) by striking "Committee;" and inserting "Committee, and, subject to paragraph (3), the principal campaign committee of an eligible House of Representatives or Senate candidate;";

(2) in paragraph (2)(B), by striking "and" after the semicolon;

(3) in paragraph (2)(C), by striking the period and inserting "; and";

(4) by adding after paragraph (2)(C) the following new subparagraph:

"(D) The terms 'eligible Senate candidate' and 'principal campaign committee' have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971"; and

(5) by adding after paragraph (2) the following new paragraph:

"(3) The rate made available under this subsection with respect to an eligible Senate candidate shall apply only to—

"(A) the general election period (as defined in section 301 of the Federal Election Campaign Act of 1971); and

"(B) that number of pieces of mail equal to the number of individuals in the voting age population (as certified under section 315(e)

of such Act) of the congressional district or State, whichever is applicable."

**SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.**

Section 304(c) of FECA (2 U.S.C. 434(c)) is amended—

(1) in paragraph (2), by striking out the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) as paragraph (5); and

(3) by inserting after paragraph (2), as amended by paragraph (1), the following new paragraphs:

"(3)(A) Any independent expenditure (including those described in subsection (b)(6)(B)(iii) of this section) aggregating \$1,000 or more made after the 20th day, but more than 24 hours, before any election shall be reported within 24 hours after such independent expenditure is made.

"(B) Any independent expenditure aggregating \$10,000 or more made at any time up to and including the 20th day before any election shall be reported within 48 hours after such independent expenditure is made. An additional statement shall be filed each time independent expenditures aggregating \$10,000 are made with respect to the same election as the initial statement filed under this section.

"(C) Such statement shall be filed with the Secretary of the Senate and the Secretary of State of the State involved and shall contain the information required by subsection (b)(6)(B)(iii) of this section, including whether the independent expenditure is in support of, or in opposition to, the candidate involved. The Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a statement transmit it to the Commission. Not later than 48 hours after the Commission receives a report, the Commission shall transmit a copy of the report to each candidate seeking nomination or election to that office.

"(D) For purposes of this section, the term 'made' includes any action taken to incur an obligation for payment.

"(4)(A) If any person intends to make independent expenditures totaling \$5,000 during the 20 days before an election, such person shall file a statement no later than the 20th day before the election.

"(B) Such statement shall be filed with the Secretary of the Senate and the Secretary of State of the State involved, and shall identify each candidate whom the expenditure will support or oppose. The Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a statement transmit it to the Commission. Not later than 48 hours after the Commission receives a statement under this paragraph, the Commission shall transmit a copy of the statement to each candidate identified.

"(5) The Commission may make its own determination that a person has made, or has incurred obligations to make, independent expenditures with respect to any Federal election which in the aggregate exceed the applicable amounts under paragraph (3) or (4). The Commission shall notify each candidate in such election of such determination within 24 hours of making it.

"(6) At the same time as a candidate is notified under paragraph (3), (4), or (5) with respect to expenditures during a general election period, the Commission shall certify eligibility to receive benefits under section 504(a) or section 604(b).

"(7) The Secretary of the Senate shall make any statement received under this subsection available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such statements in the same manner as the Commission under section 311(a)(5)."

**SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.**

Section 318 of FECA (2 U.S.C. 441d) is amended—

(1) in the matter before paragraph (1) of subsection (a), by striking “an expenditure” and inserting “a disbursement”;

(2) in the matter before paragraph (1) of subsection (a), by striking “direct”;

(3) in paragraph (3) of subsection (a), by inserting after “name” the following “and permanent street address”; and

(4) by adding at the end the following new subsections:

“(c) Any printed communication described in subsection (a) shall be—

“(1) of sufficient type size to be clearly readable by the recipient of the communication;

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

“(3) consist of a reasonable degree of color contrast between the background and the printed statement.

“(d)(1) Any broadcast or cablecast communication described in subsection (a)(1) or subsection (a)(2) shall include, in addition to the requirements of those subsections an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

“(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the statement required by paragraph (1) shall—

“(A) appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

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

“(e) Any broadcast or cablecast communication described in subsection (a)(3) shall include, in addition to the requirements of those subsections, in a clearly spoken manner, the following statement—

“I am responsible for the content of this advertisement.”

with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor; and, if broadcast or cablecast by means of television, shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.”.

**SEC. 135. DEFINITIONS.**

(a) IN GENERAL.—Section 301 of FECA (2 U.S.C. 431) is amended by striking paragraph (19) and inserting the following new paragraphs:

“(19) The term ‘eligible Senate candidate’ means a candidate who is eligible under section 502 to receive benefits under title V.

“(20) The term ‘general election’ means any election which will directly result in the election of a person to a Federal office, but does not include an open primary election.

“(21) The term ‘general election period’ means, with respect to any candidate, the period beginning on the day after the date of the primary or runoff election for the specific office the candidate is seeking, whichever is later, and ending on the earlier of—

“(A) the date of such general election; or  
“(B) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election.

“(22) The term ‘immediate family’ means—

“(A) a candidate’s spouse;

“(B) a child, stepchild, parent, grandparent, brother, half-brother, sister or half-

sister of the candidate or the candidate’s spouse; and

“(C) the spouse of any person described in subparagraph (B).

“(23) The term ‘major party’ has the meaning given such term in section 9002(6) of the Internal Revenue Code of 1986, except that if a candidate qualified under State law for the ballot in a general election in an open primary in which all the candidates for the office participated and which resulted in the candidate and at least one other candidate qualifying for the ballot in the general election, such candidate shall be treated as a candidate of a major party for purposes of title V.

“(24) The term ‘primary election’ means an election which may result in the selection of a candidate for the ballot in a general election for a Federal office.

“(25) The term ‘primary election period’ means, with respect to any candidate, the period beginning on the day following the date of the last election for the specific office the candidate is seeking and ending on the earlier of—

“(A) the date of the first primary election for that office following the last general election for that office; or

“(B) the date on which the candidate withdraws from the election or otherwise ceases actively to seek election.

“(26) The term ‘runoff election’ means an election held after a primary election which is prescribed by applicable State law as the means for deciding which candidate will be on the ballot in the general election for a Federal office.

“(27) The term ‘runoff election period’ means, with respect to any candidate, the period beginning on the day following the date of the last primary election for the specific office such candidate is seeking and ending on the date of the runoff election for such office.

“(28) The term ‘voting age population’ means the resident population, 18 years of age or older, as certified pursuant to section 315(e).

“(29) The term ‘election cycle’ means—

“(A) in the case of a candidate or the authorized committees of a candidate, the term beginning on the day after the date of the most recent general election for the specific office or seat which such candidate seeks and ending on the date of the next general election for such office or seat; or

“(B) for all other persons, the term beginning on the first day following the date of the last general election and ending on the date of the next general election.

“(30) The terms ‘Senate Election Campaign Fund’ and ‘Fund’ mean the Senate Election Campaign Fund established under section 509.

“(31) The term ‘lobbyist’ means—

“(A) a person required to register under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.); and

“(B) a person who receives compensation in return for having contact with Congress on any legislative matter.”.

(b) IDENTIFICATION.—Section 301(13) of FECA (2 U.S.C. 431(13)) is amended by striking “mailing address” and inserting “permanent residence address”.

**SEC. 136. PROVISIONS RELATING TO FRANKED MASS MAILINGS.**

(a) MASS MAILINGS OF SENATORS.—Section 3210(a)(6) of title 39, United States Code, is amended—

(1) in subparagraph (A), by striking “It is the intent of Congress that a Member of, or a Member-elect to, Congress” and inserting “A Member of, or Member-elect to, the House”; and

(2) in subparagraph (C)—

(A) by striking “if such mass mailing is postmarked fewer than 60 days immediately before the date” and inserting “if such mass mailing is postmarked during the calendar year”; and

(B) by inserting “or reelection” immediately before the period.

(b) MASS MAILINGS OF HOUSE MEMBERS.—Section 3210 of title 39, United States Code, is amended—

(1) in subsection (a)(7) by striking “, except that—” and all that follows through the end of subparagraph (B) and inserting a period; and

(2) in subsection (d)(1) by striking “delivery—” and all that follows through the end of subparagraph (B) and inserting “delivery within that area constituting the congressional district or State from which the Member was elected.”.

(c) PROHIBITION ON USE OF OFFICIAL FUNDS.—The Committee on House Administration of the House of Representatives may not approve any payment, nor may a Member of the House of Representatives make any expenditure from, any allowance of the House of Representatives or any other official funds if any portion of the payment or expenditure is for any cost related to a mass mailing by a Member of the House of Representatives outside the congressional district of the Member.

**TITLE II—INDEPENDENT EXPENDITURES****SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO INDEPENDENT EXPENDITURES.**

(a) INDEPENDENT EXPENDITURE DEFINITION AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is amended by striking paragraphs (17) and (18) and inserting the following:

“(17)(A) The term ‘independent expenditure’ means an expenditure for an advertisement or other communication that—

“(i) contains express advocacy; and

“(ii) is made without the participation or cooperation of a candidate or a candidate’s representative.

“(B) The following shall not be considered an independent expenditure:

“(i) An expenditure made by a political committee of a political party.

“(ii) An expenditure made by a person who, during the election cycle, has communicated with or received information from a candidate or a representative of that candidate regarding activities that have the purpose of influencing that candidate’s election to Federal office, where the expenditure is in support of that candidate or in opposition to another candidate for that office.

“(iii) An expenditure if there is any arrangement, coordination, or direction with respect to the expenditure between the candidate or the candidate’s agent and the person making the expenditure.

“(iv) An expenditure if, in the same election cycle, the person making the expenditure is or has been—

“(I) authorized to raise or expend funds on behalf of the candidate or the candidate’s authorized committees; or

“(II) serving as a member, employee, or agent of the candidate’s authorized committees in an executive or policymaking position.

“(v) An expenditure if the person making the expenditure has advised or counseled the candidate or the candidate’s agents at any time on the candidate’s plans, projects, or needs relating to the candidate’s pursuit of nomination for election, or election, to Federal office, in the same election cycle, including any advice relating to the candidate’s decision to seek Federal office.

“(vi) An expenditure if the person making the expenditure retains the professional

services of any individual or other person also providing those services in the same election cycle to the candidate in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including any services relating to the candidate's decision to seek Federal office.

"(vii) An expenditure if the person making the expenditure has consulted at any time during the same election cycle about the candidate's plans, projects, or needs relating to the candidate's pursuit of nomination for election, or election, to Federal office, with—

"(I) any officer, director, employee or agent of a party committee that has made or intends to make expenditures or contributions, pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign; or

"(II) any person whose professional services have been retained by a political party committee that has made or intends to make expenditures or contributions pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign.

For purposes of this subparagraph, the person making the expenditure shall include any officer, director, employee, or agent of such person.

"(18) The term 'express advocacy' means, when a communication is taken as a whole, an expression of support for or opposition to a specific candidate, to a specific group of candidates, or to candidates of a particular political party, or a suggestion to take action with respect to an election, such as to vote for or against, make contributions to, or participate in campaign activity."

(b) CONTRIBUTION DEFINITION AMENDMENT.—Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amended—

(1) in clause (i), by striking "or" after the semicolon at the end;

(2) in clause (ii), by striking the period at the end and inserting "; or"; and

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

"(iii) any payment or other transaction referred to in paragraph (17)(A)(i) that does not qualify as an independent expenditure under paragraph (17)(A)(ii)."

### TITLE III—EXPENDITURES

#### Subtitle A—Personal Loans; Credit

#### SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.

Section 315 of FECA (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) LIMITATIONS ON PAYMENTS TO CANDIDATES.—(1) If a candidate or a member of the candidate's immediate family made any loans to the candidate or to the candidate's authorized committees during any election cycle, no contributions after the date of the general election for such election cycle may be used to repay such loans.

"(2) No contribution by a candidate or member of the candidate's immediate family may be returned to the candidate or member other than as part of a pro rata distribution of excess contributions to all contributors."

#### SEC. 302. EXTENSIONS OF CREDIT.

Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as amended by section 201(b), is amended—

(1) by striking "or" at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting "; or"; and

(3) by inserting at the end the following new clause:

"(iv) with respect to a candidate and the candidate's authorized committees, any extension of credit for goods or services relating to advertising on broadcasting stations,

in newspapers or magazines, or by mailings, or relating to other similar types of general public political advertising, if such extension of credit is—

"(I) in an amount of more than \$1,000; and  
 "(II) for a period greater than the period, not in excess of 60 days, for which credit is generally extended in the normal course of business after the date on which such goods or services are furnished or the date of the mailing in the case of advertising by a mailing."

#### Subtitle B—Provisions Relating to Soft Money of Political Parties

#### SEC. 311. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of FECA (2 U.S.C. 434), as amended by section 133(a), is amended by adding at the end thereof the following new subsection:

"(e) POLITICAL COMMITTEES.—(1) The national committee of a political party and any congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period, whether or not in connection with an election for Federal office.

"(2) Any political committee to which paragraph (1) does not apply shall report any receipts or disbursements which are used in connection with a Federal election.

"(3) If a political committee has receipts or disbursements to which this subsection applies for any person aggregating in excess of \$200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as under subsection (b) (3)(A), (5), or (6).

"(4) Reports required to be filed by this subsection shall be filed for the same time periods required for political committees under subsection (a)."

(b) REPORT OF EXEMPT CONTRIBUTIONS.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended by inserting at the end thereof the following:

"(C) The exclusion provided in clause (viii) of subparagraph (B) shall not apply for purposes of any requirement to report contributions under this Act, and all such contributions aggregating in excess of \$200 shall be reported."

(c) REPORTS BY STATE COMMITTEES.—Section 304 of FECA (2 U.S.C. 434), as amended by subsection (a), is amended by adding at the end thereof the following new subsection:

"(f) FILING OF STATE REPORTS.—In lieu of any report required to be filed by this Act, the Commission may allow a State committee of a political party to file with the Commission a report required to be filed under State law if the Commission determines such reports contain substantially the same information."

(d) OTHER REPORTING REQUIREMENTS.—

(1) AUTHORIZED COMMITTEES.—Paragraph (4) of section 304(b) of FECA (2 U.S.C. 434(b)(4)) is amended by striking "and" at the end of subparagraph (H), by inserting "and" at the end of subparagraph (I), and by adding at the end the following new subparagraph:

"(J) in the case of an authorized committee, disbursements for the primary election, the general election, and any other election in which the candidate participates;"

(2) NAMES AND ADDRESSES.—Subparagraph (A) of section 304(b)(5) of FECA (2 U.S.C. 434(b)(5)(A)) is amended—

(A) by striking "within the calendar year", and

(B) by inserting ", and the election to which the operating expenditure relates" after "operating expenditure".

### TITLE IV—CONTRIBUTIONS

#### SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS; PROHIBITION ON CERTAIN CONTRIBUTIONS BY LOBBYISTS.

(a) CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS.—Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is amended to read as follows:

"(8) For the purposes of this subsection:

"(A) Contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to a candidate, shall be treated as contributions from the person to the candidate.

"(B) Contributions made directly or indirectly by a person to or on behalf of a particular candidate through an intermediary or conduit, including contributions made or arranged to be made by an intermediary or conduit, shall be treated as contributions from the intermediary or conduit to the candidate if—

"(i) the contributions made through the intermediary or conduit are in the form of a check or other negotiable instrument made payable to the intermediary or conduit rather than the intended recipient; or

"(ii) the intermediary or conduit is—

"(I) a political committee;

"(II) an officer, employee, or agent of such a political committee;

"(III) a political party;

"(IV) a partnership or sole proprietorship;

"(V) a person who is required to register or to report its lobbying activities, or a lobbyist whose activities are required to be reported, under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267), the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), or any successor Federal law requiring a person who is a lobbyist or foreign agent to register or a person to report its lobbying activities; or

"(VI) an organization prohibited from making contributions under section 316, or an officer, employee, or agent of such an organization acting on the organization's behalf.

"(C)(i) The term 'intermediary or conduit' does not include—

"(I) a candidate or representative of a candidate receiving contributions to the candidate's principal campaign committee or authorized committee;

"(II) a professional fundraiser compensated for fundraising services at the usual and customary rate, but only if the individual is not described in subparagraph (B)(ii);

"(III) a volunteer hosting a fundraising event at the volunteer's home, in accordance with section 301(8)(B), but only if the individual is not described in subparagraph (B)(ii); or

"(IV) an individual who transmits a contribution from the individual's spouse.

"(ii) The term 'representative' means an individual who is expressly authorized by the candidate to engage in fundraising, and who occupies a significant position within the candidate's campaign organization, provided that the individual is not described in subparagraph (B)(ii).

"(iii) The term 'contributions made or arranged to be made' includes—

"(I) contributions delivered to a particular candidate or the candidate's authorized committee or agent; and

"(II) contributions directly or indirectly arranged to be made to a particular candidate or the candidate's authorized committee or agent, in a manner that identifies directly or indirectly to the candidate or authorized committee or agent the person who arranged the making of the contributions or

the person on whose behalf such person was acting.

Such term does not include contributions made, or arranged to be made, by reason of an oral or written communication by a Federal candidate or officeholder expressly advocating the nomination for election, or election, of any other Federal candidate and encouraging the making of a contribution to such other candidate.

“(iv) The term ‘acting on the organization’s behalf’ includes the following activities by an officer, employee or agent of a person described in subparagraph (B)(ii)(VI):

“(I) Soliciting or directly or indirectly arranging the making of a contribution to a particular candidate in the name of, or by using the name of, such a person.

“(II) Soliciting or directly or indirectly arranging the making of a contribution to a particular candidate using other than incidental resources of such a person.

“(III) Soliciting contributions for a particular candidate by substantially directing the solicitations to other officers, employees, or agents of such a person.

“(D) Nothing in this paragraph shall prohibit—

“(i) bona fide joint fundraising efforts conducted solely for the purpose of sponsorship of a fundraising reception, dinner, or other similar event, in accordance with rules prescribed by the Commission, by—

“(I) 2 or more candidates;

“(II) 2 or more national, State, or local committees of a political party within the meaning of section 301(4) acting on their own behalf; or

“(III) a special committee formed by 2 or more candidates, or a candidate and a national, State, or local committee of a political party acting on their own behalf; or

“(i) fundraising efforts for the benefit of a candidate that are conducted by another candidate.

When a contribution is made to a candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of the contribution to the Commission and to the intended recipient.”

(b) PROHIBITION OF CERTAIN CONTRIBUTIONS BY LOBBYISTS.—Section 315 of FECA (2 U.S.C. 441a), as amended by section 301, is amended by adding at the end the following new subsection:

“(j)(1) A lobbyist, or a political committee controlled by a lobbyist, shall not make contributions to, or solicit contributions for or on behalf of—

“(A) any member of Congress with whom the lobbyist has, during the preceding 12 months, made a lobbying contact; or

“(B) any authorized committee of the President of the United States if, during the preceding 12 months, the lobbyist has made a lobbying contact with a covered executive branch official.

“(2) A lobbyist who, or a lobbyist whose political committee, has made any contribution to, or solicited contributions for or on behalf of, any member of Congress or candidate for Congress (or any authorized committee of the President) shall not, during the 12 months following such contribution or solicitation, make a lobbying contact with such member or candidate who becomes a member of Congress (or a covered executive branch official).

“(3) If a lobbyist advises or otherwise suggests to a client of the lobbyist (including a client that is the lobbyist’s regular employer), or to a political committee that is funded or administered by such a client, that the client or political committee should make a contribution to or solicit a contribution for or on behalf of—

“(A) a member of Congress or candidate for Congress, the making or soliciting of such a contribution is prohibited if the lobbyist has made a lobbying contact with the member of Congress within the preceding 12 months; or

“(B) an authorized committee of the President, the making or soliciting of such a contribution shall be unlawful if the lobbyist has made a lobbying contact with a covered executive branch official within the preceding 12 months.

“(4) For purposes of this subsection—

“(A) the term ‘covered executive branch official’ means the President, Vice-President, any officer or employee of the executive office of the President other than a clerical or secretarial employee, any officer or employee serving in an Executive Level I, II, III, IV, or V position as designated in statute or Executive order, any officer or employee serving in a senior executive service position (as defined in section 3232(a)(2) of title 5, United States Code), any member of the uniformed services whose pay grade is at or in excess of 0-7 under section 201 of title 37, United States Code, and any officer or employee serving in a position of confidential or policy-determining character under schedule C of the excepted service pursuant to regulations implementing section 2103 of title 5, United States Code;

“(B) the term ‘lobbyist’ means—

“(i) a person required to register under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) or any successor Federal law requiring a person who is a lobbyist or foreign agent to register or a person to report its lobbying activities; or

“(C) the term ‘lobbying contact’—

“(i) means an oral or written communication with or appearance before a member of Congress or covered executive branch official made by a lobbyist representing an interest of another person with regard to—

“(I) the formulation, modification, or adoption of Federal legislation (including a legislative proposal);

“(II) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy or position of the United States Government; or

“(III) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); but

“(ii) does not include a communication that is—

“(I) made by a public official acting in an official capacity;

“(II) made by a representative of a media organization who is primarily engaged in gathering and disseminating news and information to the public;

“(III) made in a speech, article, publication, or other material that is widely distributed to the public or through the media;

“(IV) a request for an appointment, a request for the status of a Federal action, or another similar ministerial contact, if there is no attempt to influence a member of Congress or covered executive branch official at the time of the contact;

“(V) made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act (5 U.S.C. App.);

“(VI) testimony given before a committee, subcommittee, or office of Congress a Federal agency, or submitted for inclusion in the public record of a hearing conducted by the committee, subcommittee, or office;

“(VII) information provided in writing in response to a specific written request from a member of Congress or covered executive branch official;

“(VIII) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of Congress or a Federal agency;

“(IX) made to an agency official with regard to a judicial proceeding, criminal or civil law enforcement inquiry, investigation, or proceeding, or filing required by law;

“(X) made in compliance with written agency procedures regarding an adjudication conducted by the agency under section 554 of title 5, United States Code, or substantially similar provisions;

“(XI) a written comment filed in a public docket and other communication that is made on the record in a public proceeding;

“(XII) a formal petition for agency action, made in writing pursuant to established agency procedures; or

“(XIII) made on behalf of a person with regard to the person’s benefits, employment, other personal matters involving only that person, or disclosures pursuant to a whistleblower statute.”

“(5) For purposes of this subsection, a lobbyist shall be considered to make a lobbying contact or communication with a member of Congress if the lobbyist makes a lobbying contact or communication with—

“(i) the member of Congress;

“(ii) any person employed in the office of the member of Congress; or

“(iii) any person employed by a committee, joint committee, or leadership office who, to the knowledge of the lobbyist, was employed at the request of or is employed at the pleasure of, reports primarily to, represents, or acts as the agent of the member of Congress.”

#### SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOTING AGE.

Section 315 of FECA (2 U.S.C. 441a), as amended by section 401(b), is amended by adding at the end the following new subsection:

“(k) For purposes of this section, any contribution by an individual who—

“(1) is a dependent of another individual; and

“(2) has not, as of the time of such contribution, attained the legal age for voting for elections to Federal office in the State in which such individual resides, shall be treated as having been made by such other individual. If such individual is the dependent of another individual and such other individual’s spouse, the contribution shall be allocated among such individuals in the manner determined by them.”

#### SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE AND LOCAL COMMITTEES OF POLITICAL PARTIES TO BE AGGREGATED.

Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

“(9) A candidate for Federal office may not accept, with respect to an election, any contribution from a State or local committee of a political party (including any subordinate committee of such committee), if such contribution, when added to the total of contributions previously accepted from all such committees of that political party, exceeds a limitation on contributions to a candidate under this section.”

#### SEC. 404. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN WORKERS FROM THE DEFINITION OF THE TERM “CONTRIBUTION”.

Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended—

(1) in clause (xiii), by striking “and” after the semicolon at the end;

(2) in clause (xiv), by striking the period at the end and inserting: “; and”; and

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

“(xv) any advance voluntarily made on behalf of an authorized committee of a candidate by an individual in the normal course of such individual’s responsibilities as a volunteer for, or employee of, the committee, if the advance is reimbursed by the committee within 10 days after the date on which the advance is made, and the value of advances on behalf of a committee does not exceed \$500 with respect to an election.”

#### TITLE V—REPORTING REQUIREMENTS

##### SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.

Paragraphs (2) through (7) of section 304(b) of FECA (2 U.S.C. 434(b)(2)-(7)) are amended by inserting after “calendar year” each place it appears the following: “(election cycle, in the case of an authorized committee of a candidate for Federal office)”.

##### SEC. 502. PERSONAL AND CONSULTING SERVICES.

Section 304(b)(5)(A) of FECA (2 U.S.C. 434(b)(5)(A)) is amended by adding before the semicolon at the end the following: “, except that if a person to whom an expenditure is made is merely providing personal or consulting services and is in turn making expenditures to other persons (not including employees) who provide goods or services to the candidate or his or her authorized committees, the name and address of such other person, together with the date, amount and purpose of such expenditure shall also be disclosed”.

##### SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF CERTAIN INFORMATION BY PERSONS OTHER THAN POLITICAL COMMITTEES.

Section 304(b)(3)(A) of FECA (2 U.S.C. 434(b)(3)(A)) is amended by striking “\$200” and inserting “\$50”.

##### SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.

Section 311(a) of FECA (2 U.S.C. 438(a)) is amended—

(1) by striking “and” at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(11) maintain computerized indices of contributions of \$50 or more.”

#### TITLE VI—FEDERAL ELECTION COMMISSION

##### SEC. 601. USE OF CANDIDATES’ NAMES.

Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is amended to read as follows:

“(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

“(B) A political committee that is not an authorized committee shall not include the name of any candidate in its name or use the name of any candidate in any activity on behalf of such committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate’s name has been authorized by the candidate.”

##### SEC. 602. REPORTING REQUIREMENTS.

(a) OPTION TO FILE MONTHLY REPORTS.—Section 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

(1) in subparagraph (A) by striking “and” at the end;

(2) in subparagraph (B) by striking the period at the end and inserting “; and”; and

(3) by inserting the following new subparagraph at the end:

“(C) in lieu of the reports required by subparagraphs (A) and (B), the treasurer may file monthly reports in all calendar years, which shall be filed no later than the 15th

day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-primary election report and a pre-general election report shall be filed in accordance with subparagraph (A)(i), a post-general election report shall be filed in accordance with subparagraph (A)(ii), and a year end report shall be filed no later than January 31 of the following calendar year.”

(b) FILING DATE.—Section 304(a)(4)(B) of FECA (2 U.S.C. 434(a)(4)(B)) is amended by striking “20th” and inserting “15th”.

##### SEC. 603. PROVISIONS RELATING TO THE GENERAL COUNSEL OF THE COMMISSION.

(a) VACANCY IN THE OFFICE OF GENERAL COUNSEL.—Section 306(f) of FECA (2 U.S.C. 437c(f)) is amended by adding at the end the following new paragraph:

“(5) In the event of a vacancy in the office of general counsel, the next highest ranking enforcement official in the general counsel’s office shall serve as acting general counsel with full powers of the general counsel until a successor is appointed.”

(b) PAY OF THE GENERAL COUNSEL.—Section 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—

(1) by inserting “and the general counsel” after “staff director” in the second sentence; and

(2) by striking the third sentence.

##### SEC. 604. ENFORCEMENT.

(a) BASIS FOR ENFORCEMENT PROCEEDING.—Section 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is amended by striking “it has reason to believe that a person has committed, or is about to commit” and inserting “facts have been alleged or ascertained that, if true, give reason to believe that a person may have committed, or may be about to commit”.

(b) AUTHORITY TO SEEK INJUNCTION.—(1) Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended by adding at the end the following new paragraph:

“(13)(A) If, at any time in a proceeding described in paragraph (1), (2), (3), or (4), the Commission believes that—

“(i) there is a substantial likelihood that a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 is occurring or is about to occur;

“(ii) the failure to act expeditiously will result in irreparable harm to a party affected by the potential violation;

“(iii) expeditious action will not cause undue harm or prejudice to the interests of others; and

“(iv) the public interest would be best served by the issuance of an injunction, the Commission may initiate a civil action for a temporary restraining order or a temporary injunction pending the outcome of the proceedings described in paragraphs (1), (2), (3), and (4).

“(B) An action under subparagraph (A) shall be brought in the United States district court for the district in which the defendant resides, transacts business, or may be found.”

(2) Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended—

(A) in paragraph (7) by striking “(5) or (6)” and inserting “(5), (6), or (13)”; and

(B) in paragraph (11) by striking “(6)” and inserting “(6) or (13)”.

##### SEC. 605. PENALTIES.

(a) PENALTIES PRESCRIBED IN CONCILIATION AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2 U.S.C. 437g(a)(5)(A)) is amended by striking “which does not exceed the greater of \$5,000 or an amount equal to any contribution or expenditure involved in such violation” and inserting “which is—

“(i) not less than 50 percent of all contributions and expenditures involved in the violation (or such lesser amount as the Commission provides if necessary to ensure that the penalty is not unjustly disproportionate to the violation); and

“(ii) not greater than all contributions and expenditures involved in the violation”.

(2) Section 309(a)(5)(B) of FECA (2 U.S.C. 437g(a)(5)(B)) is amended by striking “which does not exceed the greater of \$10,000 or an amount equal to 200 percent of any contribution or expenditure involved in such violation” and inserting “which is—

“(i) not less than all contributions and expenditures involved in the violation; and

“(ii) not greater than 150 percent of all contributions and expenditures involved in the violation”.

(b) PENALTIES WHEN VIOLATIONS ARE ADJUDICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that follows “appropriate order” and inserting “, including an order for a civil penalty in the amount determined under subparagraph (A) or (B) in the district court of the United States for the district in which the defendant resides, transacts business, or may be found.”

(2) Section 309(a)(6)(B) of FECA (2 U.S.C. 437g(a)(6)(B)) is amended by striking all that follows “other order” and inserting “, including an order for a civil penalty which is—

“(i) not less than all contributions and expenditures involved in the violation; and

“(ii) not greater than 200 percent of all contributions and expenditures involved in the violation,

upon a proper showing that the person involved has committed, or is about to commit (if the relief sought is a permanent or temporary injunction or a restraining order), a violation of this Act or chapter 95 of chapter 96 of the Internal Revenue Code of 1986.”

(3) Section 309(a)(6)(C) of FECA (29 U.S.C. 437g(6)(C)) is amended by striking “a civil penalty” and all that follows and inserting “a civil penalty which is—

“(i) not less than 200 percent of all contributions and expenditures involved in the violation; and

“(ii) not greater than 250 percent of all contributions and expenditures involved in the violation.”

##### SEC. 606. RANDOM AUDITS.

Section 311(b) of FECA (2 U.S.C. 438(b)) is amended—

(1) by inserting “(1)” before “The Commission”; and

(2) by adding at the end the following new paragraph:

“(2) Notwithstanding paragraph (1), the Commission may from time to time conduct random audits and investigations to ensure voluntary compliance with this Act. The subjects of such audits and investigations shall be selected on the basis of criteria established by vote of at least 4 members of the Commission to ensure impartiality in the selection process. This paragraph does not apply to an authorized committee of an eligible Senate candidate subject to audit under section 505(a) or an authorized committee of an eligible House of Representatives candidate subject to audit under section 605(a).”

##### SEC. 607. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of FECA (2 U.S.C. 441h) is amended—

(1) by inserting after “SEC. 322.” the following: “(a)”; and

(2) by adding at the end the following:

“(b) No person shall solicit contributions by falsely representing himself as a candidate or as a representative of a candidate, a political committee, or a political party.”

**SEC. 608. REGULATIONS RELATING TO USE OF NON-FEDERAL MONEY.**

Section 306 of FECA (2 U.S.C. 437c) is amended by adding at the end the following new subsection:

“(g) The Commission shall promulgate rules to prohibit devices or arrangements which have the purpose or effect of undermining or evading the provisions of this Act restricting the use of non-Federal money to affect Federal elections.”.

**TITLE VII—MISCELLANEOUS**

**SEC. 701. PROHIBITION OF LEADERSHIP COMMITTEES.**

Section 302(e) of FECA (2 U.S.C. 432(e)) is amended—

(1) by amending paragraph (3) to read as follows:

“(3) No political committee that supports or has supported more than one candidate may be designated as an authorized committee, except that—

“(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate’s principal campaign committee, but only if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

“(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee.”; and

(2) by adding at the end the following new paragraph:

“(6)(A) A candidate for Federal office or any individual holding Federal office may not establish, maintain, or control any political committee other than a principal campaign committee of the candidate, authorized committee, party committee, or other political committee designated in accordance with paragraph (3). A candidate for more than one Federal office may designate a separate principal campaign committee for each Federal office.

“(B) For one year after the effective date of this paragraph, any such political committee may continue to make contributions. At the end of that period such political committee shall disburse all funds by one or more of the following means: making contributions to an entity qualified under section 501(c)(3) of the Internal Revenue Code of 1986; making a contribution to the treasury of the United States; contributing to the national, State or local committees of a political party; or making contributions not to exceed \$1,000 to candidates for elective office.”.

**SEC. 702. POLLING DATA CONTRIBUTED TO CANDIDATES.**

Section 301(8) of FECA (2 U.S.C. 431(8)), as amended by section 314(b), is amended by inserting at the end the following new subparagraph:

“(D) A contribution of polling data to a candidate shall be valued at the fair market value of the data on the date the poll was completed, depreciated at a rate not more than 1 percent per day from such date to the date on which the contribution was made.”.

**SEC. 703. SENSE OF THE SENATE THAT CONGRESS SHOULD CONSIDER ADOPTION OF A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION THAT WOULD EMPOWER CONGRESS AND THE STATES TO SET REASONABLE LIMITS ON CAMPAIGN EXPENDITURES.**

It is the sense of the Senate that Congress should consider adoption of a joint resolution proposing an amendment to the Constitution that would—

(1) empower Congress to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for Federal office; and

(2) empower the States to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for State or local office.

**SEC. 704. PERSONAL USE OF CAMPAIGN FUNDS.**

Section 313 of FECA (2 U.S.C. 439a) is amended—

(1) by inserting “(a)” before “Amounts”; and

(2) by adding at the end the following new subsection:

“(b) For the purposes of this section, the term ‘personal use’ means the use of funds in a campaign account of a present or former candidate to fulfill a commitment, obligation, or expense of any person that would exist irrespective of the candidate’s campaign or duties as a holder of Federal office.”.

**TITLE VIII—EFFECTIVE DATES; AUTHORIZATIONS**

**SEC. 801. EFFECTIVE DATE.**

Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of the enactment of this Act but shall not apply with respect to activities in connection with any election occurring before January 1, 1996.

**SEC. 802. SEVERABILITY.**

Except as provided in sections 101(c) and 121(b), if any provision of this Act (including any amendment made by this Act), or the application of any such provision to any person or circumstance, is held invalid, the validity of any other provision of this Act, or the application of such provision to other persons and circumstances, shall not be affected thereby.

**SEC. 803. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

(a) **DIRECT APPEAL TO SUPREME COURT.**—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

(b) **ACCEPTANCE AND EXPEDITION.**—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

**GRAHAM AMENDMENT NO. 4095**

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill, S. 1219, supra; as follows:

On page 18, strike lines 2 through 25 and insert the following:

(a) **BROADCAST RATES.**—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended to read as follows:

“(b) **BROADCAST RATES.**—

“(1) **DEFINITIONS.**—In this subsection, the term ‘eligible candidate’ means—

“(A) an eligible Senate candidate (within the meaning of section 501 of the Federal Election Campaign Act of 1971); and

“(B) a candidate for State or local office who undertakes to abide by reasonable spending limits established under State law.

“(2) **MAXIMUM CHARGES.**—The charge made for the use of a broadcasting station by an eligible candidate in connection with the candidate’s campaign for nomination for election, or election, to public office shall not exceed—

“(A) during the 30 days preceding the date of a primary or primary runoff election and during the 60 days preceding the date of a general or special election in which the can-

didate is a candidate, a charge equal to 50 percent of the lowest charge of the station for the same amount of time for the same period on the same date; and

“(B) at any other time, the charge made for comparable use of such station by other users of the station.”.

**BINGAMAN AMENDMENTS NOS. 4096–4097**

(Ordered to lie on the table.)

Mr. BINGAMAN submitted two amendments intended to be proposed by him to the bill, S. 1219, supra; as follows:

**AMENDMENT NO. 4096**

At the appropriate place in title III, insert the following:

**SEC. 3. BROADCAST REFERENCES TO OTHER CANDIDATES.**

Section 315 of the Communications Act of 1934 (47 U.S.C. 315) (as amended by section 103) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by inserting “subject to paragraph (2),” before “during the forty-five days”; and

(B) by adding at the end the following:

“(3) **REFERENCE BY A CANDIDATE TO ANOTHER CANDIDATE.**—

“(A) **REQUIREMENT.**—To be eligible to receive the broadcast media rates under paragraph (1)(A), if a legally qualified candidate for an office (or the authorized committee of such a candidate), using the rights and conditions of access under this Act, refers, directly or indirectly, to another legally qualified candidate for that office, the reference shall be made in person by the legally qualified candidate.

“(B) **FAILURE TO COMPLY.**—If a legally qualified candidate fails to comply with subparagraph (A), the legally qualified candidate shall be ineligible for the media rates under paragraph (1)(A) for the remainder of the 45-day period (for a primary or primary runoff election) or the 60-day period (for a general or special election) described in paragraph (1)(A).”; and

(2) in subsection (f)—

(A) by redesignating paragraphs (1), (2), (3), (4), and (5) as paragraphs (2), (3), (4), (5), and (7), respectively;

(B) by inserting before paragraph (2) (as redesignated) the following:

“(1) the term ‘authorized committee’ means, with respect to a candidate for nomination for election, or election, to a Federal elective office, a committee, club, association, or other group of persons that receives contributions or makes expenditure during a calendar year in an aggregate amount exceeding \$1,000 and that is authorized by the candidate to accept contributions or make expenditures on behalf of the candidate to further the nomination or election of the candidate”;

(C) in paragraph (5) (as redesignated) by striking “and” at the end; and

(D) by inserting after paragraph (5) (as redesignated) the following:

“(6) the term ‘person’—

“(A) includes an individual, partnership, committee, association, corporation, or other organization or group of persons; but

“(B) does not include a legally qualified candidate for any Federal elective office of an authorized committee of any such candidate; and”.

**AMENDMENT NO. 4097**

At the appropriate place in title III, insert the following:

**SEC. 3. EQUAL BROADCAST TIME.**

Section 315(a) of the Communications Act of 1934 (47 U.S.C. 315(a)) is amended—

(1) by striking "(a) If any licensee shall permit any person who is a legally qualified candidate" and inserting the following:

"(a) EQUAL OPPORTUNITIES TO RESPOND.—

"(1) RESPONSES TO OPPOSING CANDIDATES.—If a licensee permits a legally qualified candidate";

(2) by redesignating paragraphs (1) through (4) as clauses (i) through (iv), respectively;

(3) by striking "station:" and inserting "station.";

(4) by inserting after "station." the following:

"(2) RESPONSE TO OTHER PERSONS.—If a licensee permits any person to use a broadcasting station to broadcast material that endorses a legally qualified candidate for any Federal office or opposes a legally qualified candidate for that office, the licensee shall, within a reasonable period of time, provide at no charge to any legally qualified candidate opposing the candidate endorsed (or to an authorized committee of the candidate), or any legally qualified candidate who was so opposed (or to an authorized committee of the candidate), the same amount of time on the broadcasting station, during the same period of the day.";

(5) by striking "Provided, That such licensee" and inserting the following:

"(3) NO CENSORSHIP.—A licensee";

(6) by striking "No obligation" and inserting the following:

"(4) NO OBLIGATION.—No obligation";

(7) by striking "Appearance" and inserting the following:

"(5) NEWS BROADCASTS.—

"(A) IN GENERAL.—Appearance"; and

(8) by striking "Nothing in the foregoing sentence" and inserting the following:

"(B) PUBLIC INTEREST.—Subparagraph (A)".

#### MURKOWSKI AMENDMENT NO. 4098

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill, S. 1219, supra; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ BAN ON ACCEPTANCE OF TRANSPORTATION AND LODGING IN CONNECTION WITH POLITICAL FUND-RAISERS IN THE SENATE.

For purposes of the Senate rule limiting Members and employees of the Senate from receiving gifts (including transportation and lodging), the acceptance of transportation and lodging paid for by a sponsor in connection with a political event raising funds for candidates for elective office shall be considered a gift prohibited by such rule.

#### SNOWE AMENDMENT NO. 4099

(Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 1219, supra; as follows:

At the end of title III, insert:

#### SEC. \_\_\_\_ SENSE OF SENATE REGARDING TAX CREDIT FOR LOCAL CAMPAIGN CONTRIBUTIONS.

(a) FINDINGS.—The Senate finds that—

(1) the Tax Reform Act of 1986 repealed an existing tax provision providing for a \$50 credit (\$100 for joint returns) for individual contributions to political campaigns and certain political campaign organizations;

(2) in the intervening ten years, public confidence in the integrity of funding congressional campaigns in the United States has eroded;

(3) the American public perceives that there is a substantial reliance on political

action committees (PACs) in Federal campaigns and that special interest funding of campaigns is undermining the democratic process;

(4) the American public is concerned that fundraising pressures may lead candidates to tailor their appeals to the most affluent and narrowly interested sectors of society, raising questions about the resulting quality of representation of other elements of society;

(5) the growth in PAC importance relative to other funding sources—including individuals giving directly to candidates—is clear, given that 27 percent of House and Senate candidates' receipts came from PACs in 1994 (up from 15.7 percent in 1974) and that in 1994, House candidates got 35 percent of their funds from PACs, and House incumbents received 46 percent;

(6) while citizens with common interests should be able to pool their resources in exercising their rights of free speech and association, and interest groups have an appropriate role to play, they should not be allowed to play a greater role relative to other sectors, particularly small individual contributors to local candidates, and therefore, the role of PACs should be reduced, and the role of small individual contributors to local candidates should be increased; and

(7) faith in our electoral system must be restored, and all individuals must feel that they have a voice in the process, and this can best be accomplished by encouraging small, individual contributors to become a more important part of the process through support of candidates seeking to represent them in Congress.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Congress and the President should include, as part of any campaign finance reform legislation, provisions which would allow individuals a credit against Federal taxes for contributions during the taxable year to Senate and House of Representatives candidates within the political jurisdiction in which the individual's principal residence is located; and

(2) the maximum credit should not exceed \$100 for an individual for a taxable year (\$200 in the case of a joint return).

#### WELLSTONE AMENDMENTS NOS. 4100-4101

(Ordered to lie on the table.)

Mr. WELLSTONE submitted two amendments intended to be proposed by him to the bill, S. 1219, supra; as follows:

#### AMENDMENT NO. 4100

On page 12, beginning on line 1, strike "the lesser" and all that follows through line 5 and insert "\$25,000".

#### AMENDMENT NO. 4101

Beginning on page 14, strike line 14 and all that follows through page 30, line 14, and insert the following:

"(d) EXCEPTIONS FOR COMPLYING CANDIDATES RUNNING AGAINST NONCOMPLYING CANDIDATES.—

"(1) RESPONSE TO FUNDRAISING AND SPENDING BY NONELIGIBLE SENATE CANDIDATES.—

"(A) 75 PERCENT OF SPENDING LIMIT.—

"(i) IN GENERAL.—If any opponent of an eligible Senate candidate is a noneligible candidate who—

"(I) has received contributions; or

"(II) has made expenditures from a source described in subsection (a);

in an aggregate amount equal to 75 percent of the general election expenditure limit, primary election expenditure limit, or runoff election expenditure limit applicable to the eligible Senate candidate, the eligible Senate

candidate shall be entitled to the benefits described in clause (ii).

"(ii) BENEFIT.—An eligible Senate candidate shall be entitled under clause (i) to—

"(I) mail an additional number of pieces of mail under section 3626(e) of title 39, United States Code, equal to the number of individuals in the voting age population (as certified under section 315(e)) of the candidate's State; and

"(II) receive an additional 10 minutes of free broadcast time under section 315(c) of the Communications Act of 1934.

"(B) 100 PERCENT OF SPENDING LIMIT.—

"(i) IN GENERAL.—If any opponent of an eligible Senate candidate is a noneligible candidate who—

"(I) has received contributions; or

"(II) has made expenditures from a source described in subsection (a);

in an aggregate amount equal to 100 percent of the general election expenditure limit, primary election expenditure limit, or runoff election expenditure limit applicable to the eligible Senate candidate, the eligible Senate candidate shall be entitled to the benefits described in clause (ii).

"(ii) BENEFITS.—An eligible Senate candidate shall be entitled under clause (i) to—

"(I) mail an additional number of pieces of mail under section 3626(e) of title 39, United States Code, equal to the number of individuals in the voting age population (as certified under section 315(e)) of the candidate's State; and

"(II) receive an additional 10 minutes of free broadcast time under section 315(c) of the Communications Act of 1934.

"(C) 133 PERCENT OF SPENDING LIMIT.—

"(i) IN GENERAL.—If any opponent of an eligible Senate candidate is a noneligible candidate who—

"(I) has received contributions; or

"(II) has made expenditures from a source described in subsection (a);

in an aggregate amount equal to 133 percent of the general election expenditure limit, primary election expenditure limit, or runoff election expenditure limit applicable to the eligible Senate candidate, the eligible Senate candidate shall be entitled to the benefit described in clause (ii).

"(ii) BENEFIT.—An eligible Senate candidate shall be entitled under clause (i) to receive an additional 10 minutes of free broadcast time under section 315(c) of the Communications Act of 1934.

"(2) REVOCATION OF ELIGIBILITY OF OPPOSITION.—If the status of eligible Senate candidate of any opponent of an eligible Senate candidate is revoked under section 505(a), the general election expenditure limit applicable to the eligible Senate candidate shall be increased by 20 percent.

"(e) EXPENDITURES IN RESPONSE TO INDEPENDENT EXPENDITURES.—If an eligible Senate candidate is notified by the Commission under section 304(c)(4) that independent expenditures totaling \$10,000 or more have been made in the same election in favor of another candidate or against the eligible candidate, the eligible candidate shall be permitted to spend an amount equal to the amount of the independent expenditures, and any such expenditures shall not be subject to any limit applicable under this title to the eligible candidate for the election.

#### "SEC. 503. BENEFITS THAT ELIGIBLE CANDIDATES ARE ENTITLED TO RECEIVE.

"An eligible Senate candidate shall be entitled to receive—

"(1) the broadcast media rates provided under section 315(b) of the Communications Act of 1934;

“(2) the free broadcast time provided under section 315(c) of the Communications Act of 1934; and

“(3) the reduced postage rates provided in section 3626(e) of title 39, United States Code.”

**SEC. 504. CERTIFICATION BY COMMISSION.**

“(a) IN GENERAL.—Not later than 48 hours after an eligible candidate qualifies for a general election ballot, the Commission shall certify the candidate's eligibility for free broadcast time under section 315(c) of the Communications Act of 1934. The Commission shall revoke the certification if the Commission determines that a candidate fails to continue to meet the requirements of this title.

“(b) DETERMINATIONS BY COMMISSION.—A determination (including a certification under subsection (a)) made by the Commission under this title shall be final, except to the extent that the determination is subject to examination and audit by the Commission under section 505.

**SEC. 505. REVOCATION; MISUSE OF BENEFITS.**

“(a) REVOCATION OF STATUS.—

“(1) IN GENERAL.—If the Commission determines that any eligible Senate candidate—

“(A) has received contributions in excess of 110 percent of—

“(i) the applicable primary election limit under this title;

“(ii) the applicable general election limit under this title; or

“(iii) the limitation on contributions from out-of-State residents under section 501(f); or

“(B) has expended personal funds in excess of 110 percent of the limit under section 502(a).

the Commission shall revoke the certification of the candidate as an eligible Senate candidate and notify the candidate of the revocation.

“(2) PAYMENT OF VALUE OF BENEFITS.—On receipt of notification of revocation of eligibility under paragraph (1), a candidate—

“(A) shall pay an amount equal to the value of the benefits received under this title; and

“(B) shall be ineligible for benefits available under section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) for the duration of the election cycle.

“(b) MISUSE OF BENEFITS.—If the Commission determines that any benefit made available to an eligible Senate candidate under this title was not used as provided for in this title or that a candidate has violated any of the spending limits contained in this Act, the Commission shall so notify the candidate, and the candidate shall pay an amount equal to the value of the benefit.”

(b) TRANSITION PERIOD.—Expenditures made before January 1, 1997, shall not be counted as expenditures for purposes of the limitations contained in the amendment made by subsection (a).

**SEC. 102. FREE BROADCAST TIME.**

(a) IN GENERAL.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in the third sentence of subsection (a) by striking “within the meaning of this subsection” and inserting “within the meaning of this subsection and subsection (c)”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

“(c) FREE BROADCAST TIME.—

“(1) IN GENERAL.—Except as provided in paragraph (3), each eligible Senate candidate who has qualified for the general election ballot as a candidate of a major or minor party shall be entitled to receive from broadcasting stations within the candidate's State or an adjacent State a total of—

“(A) 30 minutes of free broadcast time; plus

“(B) such additional free broadcast time as the eligible Senate candidate may be enti-

led to under section 502(d) of the Federal Election Campaign Act of 1971.

“(2) TIME.—

“(A) PRIME TIME.—Unless a candidate elects otherwise, the broadcast time made available under this subsection shall be between 6:00 p.m. and 10:00 p.m. on any day that falls on Monday through Friday.

“(B) LENGTH OF BROADCAST.—Except as otherwise provided in this Act, a candidate may use such time as the candidate elects, but time may not be used in lengths of less than 30 seconds or more than 5 minutes.

“(C) MAXIMUM REQUIRED OF ANY ONE STATION.—A candidate may not request that more than 15 minutes of free broadcast time be aired by any one broadcasting station.

“(3) MORE THAN 2 CANDIDATES.—In the case of an election among more than 2 candidates described in paragraph (1), only 60 minutes of broadcast time shall be available for all such candidates, and broadcast time shall be allocated as follows:

“(A) MINOR PARTY CANDIDATES.—The amount of broadcast time that shall be provided to the candidate of a minor party shall be equal to 60 minutes multiplied by the percentage of the number of popular votes received by the candidate of that party in the preceding general election for the Senate in the State (or if subsection (e)(4)(B) applies, the percentage determined under that subsection).

“(B) MAJOR PARTY CANDIDATES.—The amount of broadcast time remaining after assignment of broadcast time to minor party candidates under clause (i) shall be allocated equally between the major party candidates.

“(4) ONLY 1 CANDIDATE.—In the case of an election in which only 1 candidate qualifies to be on the general election ballot, no time shall be required to be provided by a broadcasting station under this subsection.

“(5) EXEMPTION.—The Federal Election Commission shall by regulation exempt from the requirements of this subsection—

“(A) a licensee the signal of which is broadcast substantially nationwide; and

“(B) a licensee that establishes that the requirements of this subsection would impose a significant economic hardship on the licensee.”; and

(4) in subsection (d) (as redesignated by paragraph (2))—

(A) by striking “and” at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) the term ‘eligible Senate candidate’ means an eligible Senate candidate (within the meaning of section 501(a) of the Federal Election Campaign Act of 1971)”;

(D) by striking the period at the end of paragraph (3) (as redesignated by subparagraph (B)) and inserting a semicolon; and

(E) by adding at the end the following:

“(4) the term ‘major party’ means, with respect to an election for the United States Senate in a State, a political party whose candidate for the United States Senate in the preceding general election for the Senate in that State received, as a candidate of that party, 25 percent or more of the number of popular votes received by all candidates for the Senate;

“(5) the term ‘minor party’ means, with respect to an election for the United States Senate in a State, a political party—

“(A) whose candidate for the United States Senate in the preceding general election for the Senate in that State received 5 percent or more but less than 25 percent of the number of popular votes received by all candidates for the Senate; or

“(B) whose candidate for the United States Senate in the current general election for the Senate in that State has obtained the

signatures of at least 5 percent of the State's registered voters, as determined by the chief voter registration official of the State, in support of a petition for an allocation of free broadcast time under this subsection; and

“(6) the term ‘Senate election cycle’ means, with respect to an election to a seat in the United States Senate, the 6-year period ending on the date of the general election for that seat.”.

(b) JURISDICTION OVER CHALLENGES TO BROADCAST MEDIA RATES AND FREE BROADCAST TIME.—

(1) IN GENERAL.—The United States Court of Federal Claims shall have exclusive jurisdiction over any action challenging the constitutionality of the broadcast media rates and free broadcast time required to be offered to political candidates under section 503 of the Federal Election Campaign Act of 1971 and section 315 of the Communications Act of 1934.

(2) REMEDY.—Money damages shall be the sole and exclusive remedy in an action under paragraph (1), and only an individual or entity that suffers actual financial injury shall have standing to maintain such an action.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 1997.

**SEC. 103. BROADCAST RATES AND PREEMPTION.**

(a) BROADCAST RATES.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended by striking subsection (b) and inserting the following:

“(b) BROADCAST MEDIA RATES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the charges made for the use of a broadcasting station by a person who is a legally qualified candidate for public office in connection with the person's campaign for nomination for election, or election, to public office shall not exceed the charges made for comparable use of the station by other users of the station.

“(2) ELIGIBLE SENATE CANDIDATES.—In the case of an eligible Senate candidate (within the meaning of section 501(a) of the Federal Election Campaign Act), the charges for the use of a television broadcasting station during the 30-day period and 60-day period referred to in paragraph (1)(A) shall not exceed 50 percent of the lowest charge described in paragraph (1)(A).”.

(b) PREEMPTION; ACCESS.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315), as amended by section 102(a), is amended—

(1) by redesignating subsections (d) and (e) (as redesignated by section 102(a)(2)), as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following:

“(d) PREEMPTION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1)(A), of a broadcasting station by an eligible Senate candidate who has purchased and paid for such use pursuant to subsection (b)(2).

“(2) CIRCUMSTANCES BEYOND CONTROL OF LICENSEE.—If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted.”.

(c) REVOCATION OF LICENSE FOR FAILURE TO PERMIT ACCESS.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

(1) by striking “or repeated”;

(2) by inserting “or cable system” after “broadcasting station”; and

(3) by striking “his candidacy” and inserting “the candidacy of the candidate, under

the same terms, conditions, and business practices as apply to the most favored advertiser of the licensee”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 1997.

#### SEC. 104. REDUCED POSTAGE RATES.

(a) IN GENERAL.—Section 3626(e) of title 39, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “and the National” and inserting “the National”; and

(ii) by inserting before the semicolon the following: “, and, subject to paragraph (3), the principal campaign committee of an eligible Senate candidate;”;

(B) in subparagraph (B), by striking “and” after the semicolon;

(C) in subparagraph (C), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

“(D) the term ‘principal campaign committee’ has the meaning stated in section 301 of the Federal Election Campaign Act of 1971; and

“(E) the term ‘eligible Senate candidate’ means an eligible Senate candidate (within the meaning of section 501(a) of the Federal Election Campaign Act of 1971).”;

(2) by adding after paragraph (2) the following:

“(3) The rate made available under this subsection with respect to an eligible Senate candidate shall apply only to the number of pieces of mail that is equal to—

“(A) 2 times the number of individuals in the voting age population (as certified under section 315(e) of the Federal Election Campaign Act of 1971) of the candidate’s State; plus

“(B) such additional number as the eligible Senate candidate may be entitled to mail under section 502(d) of the Federal Election Campaign Act of 1971.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 1997.

#### FEINSTEIN AMENDMENTS NOS. 4102-4103

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted two amendments intended to be proposed by her to the bill, S. 1219, supra; as follows:

#### AMENDMENT NO. 4102

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Senate Campaign Spending Limit and Election Reform Act of 1995”.

#### SEC. 2. AMENDMENT OF CAMPAIGN ACT; TABLE OF CONTENTS.

(a) AMENDMENT OF FECA.—When used in this Act, the term “FECA” means the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

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

Sec. 1. Short title.

Sec. 2. Amendment of Campaign Act; table of contents.

#### TITLE I—SENATE ELECTION SPENDING LIMITS AND BENEFITS

Sec. 101. Senate election spending limits and benefits.

Sec. 102. Transition provisions.

Sec. 103. Free broadcast time.

Sec. 104. Broadcast rates and preemption.

Sec. 105. Reduced postage rates.

#### TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE

##### Subtitle A—Elimination of Political Action Committees From Federal Election Activities

Sec. 201. Ban on activities of political action committees in Federal elections.

##### Subtitle B—Contributions

Sec. 211. Contributions through intermediaries and conduits.

##### Subtitle C—Additional Prohibitions on Contributions

Sec. 221. Allowable contributions for complying candidates.

#### TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Candidate expenditures from personal funds.

Sec. 302. Restrictions on use of campaign funds for personal purposes.

Sec. 303. Campaign advertising amendments.

Sec. 304. Filing of reports using computers and facsimile machines.

Sec. 305. Audits.

Sec. 306. Limit on congressional use of the franking privilege.

Sec. 307. Authority to seek injunction.

Sec. 308. Severability.

Sec. 309. Expedited review of constitutional issues.

Sec. 310. Reporting requirements.

Sec. 311. Regulations.

Sec. 312. Effective date.

#### TITLE I—SENATE ELECTION SPENDING LIMITS AND BENEFITS

##### SEC. 101. SENATE ELECTION SPENDING LIMITS AND BENEFITS.

FECA is amended by adding at the end the following new title:

#### “TITLE V—SPENDING LIMITS AND BENEFITS FOR SENATE ELECTION CAMPAIGNS

##### “SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.

“(a) IN GENERAL.—For purposes of this title, a candidate is an eligible Senate candidate if the candidate—

“(1) meets the primary and general election filing requirements of subsections (c) and (d);

“(2) meets the primary and runoff election expenditure limits of subsection (b);

“(3) meets the threshold contribution requirements of subsection (e); and

“(4) does not exceed the limitation on expenditures from personal funds under section 502(a).

“(b) PRIMARY AND RUNOFF EXPENDITURE LIMITS.—

“(1) IN GENERAL.—The requirements of this subsection are met if—

“(A) the candidate or the candidate’s authorized committees did not make expenditures for the primary election in excess of the lesser of—

“(i) 67 percent of the general election expenditure limit under section 502(b); or

“(ii) \$2,750,000; and

“(B) the candidate and the candidate’s authorized committees did not make expenditures for any runoff election in excess of 20 percent of the general election expenditure limit under section 502(b).

“(2) INDEXING.—The \$2,750,000 amount under paragraph (1)(A)(ii) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 1995.

“(3) INCREASE BASED ON EXPENDITURES OF OPPONENT.—The limitations under paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on behalf of any opponent of, such candidate

during the primary or runoff election period, whichever is applicable, that are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

“(c) PRIMARY FILING REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met if the candidate files with the Secretary of the Senate a certification that—

“(A) the candidate and the candidate’s authorized committees—

“(i) will meet the primary and runoff election expenditure limits of subsection (b); and

“(ii) will only accept contributions for the primary and runoff elections which do not exceed such limits;

“(B) the candidate and the candidate’s authorized committees will meet the limitation on expenditures from personal funds under section 502(a); and

“(C) the candidate and the candidate’s authorized committees will meet the general election expenditure limit under section 502(b).

“(2) DEADLINE FOR FILING CERTIFICATION.—

The certification under paragraph (1) shall be filed not later than the date the candidate files as a candidate for the primary election.

“(d) GENERAL ELECTION FILING REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met if the candidate files a certification with the Secretary of the Senate under penalty of perjury that—

“(A) the candidate and the candidate’s authorized committees—

“(i) met the primary and runoff election expenditure limits under subsection (b); and

“(ii) did not accept contributions for the primary or runoff election in excess of the primary or runoff expenditure limit under subsection (b), whichever is applicable, reduced by any amounts transferred to this election cycle from a preceding election cycle;

“(B) at least one other candidate has qualified for the same general election ballot under the law of the State involved;

“(C) the candidate and the authorized committees of the candidate—

“(i) except as otherwise provided by this title, will not make expenditures that exceed the general election expenditure limit under section 502(b);

“(ii) will not accept any contributions in violation of section 315;

“(iii) except as otherwise provided by this title, will not accept any contribution for the general election involved to the extent that such contribution would cause the aggregate amount of contributions to exceed the sum of the amount of the general election expenditure limit under section 502(b), reduced by any amounts transferred to this election cycle from a previous election cycle and not taken into account under subparagraph (A)(ii);

“(iv) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission; and

“(v) will cooperate in the case of any audit and examination by the Commission; and

“(D) the candidate intends to make use of the benefits provided under section 503.

“(2) DEADLINE FOR FILING CERTIFICATION.—The certification under paragraph (1) shall be filed not later than 7 days after the earlier of—

“(A) the date the candidate qualifies for the general election ballot under State law; or

“(B) if under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

“(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met if the candidate and the candidate’s authorized committees have received allowable contributions during the applicable period in an amount at least equal to the lesser of—

- “(A) 10 percent of the general election expenditure limit under section 502(b); or
- “(B) \$250,000.

“(2) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘allowable contributions’ means contributions that are made as gifts of money by an individual pursuant to a written instrument identifying such individual as the contributor; and

“(B) the term ‘applicable period’ means—

“(i) the period beginning on January 1 of the calendar year preceding the calendar year of the general election involved and ending on the date on which the certification under subsection (c)(2) is filed by the candidate; or

“(ii) in the case of a special election for the office of United States Senator, the period beginning on the date the vacancy in such office occurs and ending on the date of the general election.

**“SEC. 502. LIMITATION ON EXPENDITURES.**

“(a) LIMITATION ON USE OF PERSONAL FUNDS.—

“(1) IN GENERAL.—The aggregate amount of expenditures that may be made during an election cycle by an eligible Senate candidate or such candidate’s authorized committees from the sources described in paragraph (2) shall not exceed the lesser of—

- “(A) 10 percent of the general election expenditure limit under subsection (b); or
- “(B) \$250,000.

“(2) SOURCES.—A source is described in this subsection if it is—

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

“(B) personal loans incurred by the candidate and members of the candidate’s immediate family.

“(b) GENERAL ELECTION EXPENDITURE LIMIT.—

“(1) IN GENERAL.—Except as otherwise provided in this title, the aggregate amount of expenditures for a general election by an eligible Senate candidate and the candidate’s authorized committees shall not exceed the lesser of—

- “(A) \$5,500,000; or
- “(B) the greater of—
  - “(i) \$950,000; or
  - “(ii) \$400,000; plus
- “(1) 30 cents multiplied by the voting age population not in excess of 4,000,000; and
- “(II) 25 cents multiplied by the voting age population in excess of 4,000,000.

“(2) EXCEPTION.—In the case of an eligible Senate candidate in a State that has not more than 1 transmitter for a commercial Very High Frequency (VHF) television station licensed to operate in that State, paragraph (1)(B)(ii) shall be applied by substituting—

- “(A) ‘80 cents’ for ‘30 cents’ in subclause (I); and
- “(B) ‘70 cents’ for ‘25 cents’ in subclause (II).

“(3) INDEXING.—The amount otherwise determined under paragraph (1) for any calendar year shall be increased by the same percentage as the percentage increase for such calendar year under section 501(b)(2).

“(4) INCREASE BASED ON EXPENDITURES OF OPPONENT.—The limitations under paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on

behalf of any opponent of, such candidate during the primary or runoff election period, whichever is applicable, that are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

“(c) PAYMENT OF TAXES.—The limitation under subsection (b) shall not apply to any expenditure for Federal, State, or local taxes with respect to earnings on contributions raised.

**“SEC. 503. BENEFITS ELIGIBLE CANDIDATES ENTITLED TO RECEIVE.**

“An eligible Senate candidate shall be entitled to receive—

“(1) the broadcast media rates provided under section 315(b) of the Communications Act of 1934;

“(2) the free broadcast time provided under section 315(c) of such Act; and

“(3) the reduced postage rates provided in section 3626(e) of title 39, United States Code.

**“SEC. 504. CERTIFICATION BY COMMISSION.**

“(a) IN GENERAL.—Not later than 48 hours after a candidate qualifies for a general election ballot, the Commission shall certify the candidate’s eligibility for free broadcast time under section 315(b)(2) of the Communications Act of 1934. The Commission shall revoke such certification if it determines a candidate fails to continue to meet the requirements of this title.

“(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under subsection (a)) made by the Commission under this title shall be final, except to the extent that they are subject to examination and audit by the Commission under section 505.

**“SEC. 505. REPAYMENTS; ADDITIONAL CIVIL PENALTIES.**

“(a) EXCESS PAYMENTS; REVOCATION OF STATUS.—If the Commission revokes the certification of a candidate as an eligible Senate candidate under section 504(a), the Commission shall notify the candidate, and the candidate shall pay an amount equal to the value of the benefits received under this title.

“(b) MISUSE OF BENEFITS.—If the Commission determines that any benefit made available to an eligible Senate candidate under this title was not used as provided for in this title, the Commission shall so notify the candidate and the candidate shall pay an amount equal to the value of such benefit.”.

**SEC. 102. TRANSITION PROVISIONS.**

(a) EXPENDITURES MADE PRIOR TO DATE OF ENACTMENT.—(1) Expenditures made by an eligible Senate candidate on or prior to the date of enactment of this title shall not be counted against the limits specified in section 502 of FECA, as amended by section 101. (2) For purposes of this section, the term “expenditure” includes any direct or indirect payment or distribution or obligation to make payment or distribution of money.

(b) RELATIONSHIP TO OTHER TITLES.—The provisions of titles I through IV of the Federal Election Campaign Act of 1971 shall remain in effect with respect to Senate election campaigns affected by this title or the amendments made by this title except to the extent that those provisions are inconsistent with this title or the amendments made by this title.

**SEC. 103. FREE BROADCAST TIME.**

(a) IN GENERAL.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in subsection (a)—

(A) by striking “within the meaning of this subsection” and inserting “within the meaning of this subsection and subsection (c)”;

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(C) by inserting immediately after subsection (b) the following new subsection:

“(c)(1) An eligible Senate candidate who has qualified for the general election ballot shall be entitled to receive a total of 30 minutes of free broadcast time from broadcasting stations within the State.

“(2) Unless a candidate elects otherwise, the broadcast time made available under this subsection shall be between 6:00 p.m. and 10:00 p.m. on any day that falls on Monday through Friday.

“(3) If—

“(A) a licensee’s audience with respect to any broadcasting station is measured or rated by a recognized media rating service in more than 1 State; and

“(B) during the period beginning on the first day following the date of the last general election and ending on the date of the next general election there is an election to the United States Senate in more than 1 of such States,

the 30 minutes of broadcast time under this subsection shall be allocated equally among the States described in subparagraph (B).

“(4)(A) In the case of an election among more than 2 candidates, the broadcast time provided under paragraph (1) shall be allocated as follows:

“(i) The amount of broadcast time that shall be provided to the candidate of a minor party shall be equal to the number of minutes allocable to the State multiplied by the percentage of the number of popular votes received by the candidate of that party in the preceding general election for the Senate in the State (or if subsection (d)(4)(B) applies, the percentage determined under such subsection).

“(ii) The amount of broadcast time remaining after assignment of broadcast time to minor party candidates under clause (i) shall be allocated equally between the major party candidates.

“(B) In the case of an election where only 1 candidate qualifies to be on the general election ballot, no time shall be required to be provided by a licensee under this subsection.

“(5) The Federal Election Commission shall by regulation exempt from the requirements of this subsection—

“(A) a licensee whose signal is broadcast substantially nationwide; and

“(B) a licensee that establishes that such requirements would impose a significant economic hardship on the licensee.”; and

(2) in subsection (d), as redesignated—

(A) by striking “and” at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting a semicolon; and

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

“(3) the term ‘major party’ means, with respect to an election for the United States Senate in a State, a political party whose candidate for the United States Senate in the preceding general election for the Senate in that State received, as a candidate of that party, 25 percent or more of the number of popular votes received by all candidates for the Senate;

“(4) the term ‘minor party’ means, with respect to an election for the United States Senate in a State, a political party—

“(A) whose candidate for the United States Senate in the preceding general election for the Senate in that State received 5 percent or more but less than 25 percent of the number of popular votes received by all candidates for the Senate; or

“(B) whose candidate for the United States Senate in the current general election for the Senate in that State has obtained the signatures of at least 5 percent of the State’s registered voters, as determined by the chief voter registration official of the State, in

support of a petition for an allocation of free broadcast time under this subsection; and

"(5) the term 'Senate election cycle' means, with respect to an election to a seat in the United States Senate, the 2-year period ending on the date of the general election for that seat."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to general elections occurring after December 31, 1995 (and the election cycles relating thereto).

#### SEC. 104. BROADCAST RATES AND PREEMPTION.

(a) BROADCAST RATES.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) by striking "(b) The changes" and inserting "(b)(1) The changes";

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) in paragraph (1)(A), as redesignated—

(A) by striking "forty-five" and inserting "30"; and

(B) by striking "lowest unit charge of the station for the same class and amount of time for the same period" and inserting "lowest charge of the station for the same amount of time for the same period on the same date"; and

(4) by adding at the end the following new paragraph:

"(2) In the case of an eligible Senate candidate (as described in section 501(a) of the Federal Election Campaign Act), the charges for the use of a television broadcasting station during the 30-day period and 60-day period referred to in paragraph (1)(A) shall not exceed 50 percent of the lowest charge described in paragraph (1)(A)."

(b) PREEMPTION; ACCESS.—Section 315 of such Act (47 U.S.C. 315), as amended by section 102(a), is amended—

(1) by redesignating subsections (d) and (e) as redesignated, as subsections (e) and (f), respectively; and

(2) by inserting immediately after subsection (c) the following subsection:

"(d)(1) Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1)(A), of a broadcasting station by an eligible Senate candidate who has purchased and paid for such use pursuant to subsection (b)(2).

"(2) If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted."

(c) REVOCATION OF LICENSE FOR FAILURE TO PERMIT ACCESS.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

(1) by striking "or repeated";

(2) by inserting "or cable system" after "broadcasting station"; and

(3) by striking "his candidacy" and inserting "the candidacy of such person, under the same terms, conditions, and business practices as apply to its most favored advertiser".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to the general elections occurring after December 31, 1995 (and the election cycles relating thereto).

#### SEC. 105. REDUCED POSTAGE RATES.

(a) IN GENERAL.—Section 3626(e) of title 39, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking "and the National" and inserting "the National"; and

(ii) by inserting before the semicolon the following: ", and, subject to paragraph (3), the principal campaign committee of an eligible Senate candidate";

(B) in subparagraph (B), by striking "and" after the semicolon;

(C) in subparagraph (C), by striking the period and inserting a semicolon; and

(D) by adding after subparagraph (C) the following new subparagraphs:

"(D) the term 'principal campaign committee' has the meaning given such term in section 301 of the Federal Election Campaign Act of 1971; and

"(E) the term 'eligible Senate candidate' has the meaning given such term in section 501(a) of the Federal Election Campaign Act of 1971.";

(2) by adding after paragraph (2) the following new paragraph:

"(3) The rate made available under this subsection with respect to an eligible Senate candidate shall apply only to that number of pieces of mail equal to 2 times the number of individuals in the voting age population (as certified under section 315(e) of such Act) of the State."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to the general elections occurring after December 31, 1995 (and the election cycles relating thereto).

## TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE

### Subtitle A—Elimination of Political Action Committees From Federal Election Activities

#### SEC. 201. BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Title III of FECA (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

##### "BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL ACTION COMMITTEES

"SEC. 324. Notwithstanding any other provision of this Act, no person other than an individual or a political committee may make contributions, solicit or receive contributions, or make expenditures for the purpose of influencing an election for Federal office."

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Section 301(4) of FECA (2 U.S.C. 431(4)) is amended to read as follows:

"(4) The term 'political committee' means—

"(A) the principal campaign committee of a candidate;

"(B) any national, State, or district committee of a political party, including any subordinate committee thereof;

"(C) any local committee of a political party that—

"(i) receives contributions aggregating in excess of \$5,000 during a calendar year;

"(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of \$5,000 during a calendar year; or

"(iii) makes contributions or expenditures aggregating in excess of \$1,000 during a calendar year; and

"(D) any committee jointly established by a principal campaign committee and any committee described in subparagraph (B) or (C) for the purpose of conducting joint fundraising activities."

(2) Section 316(b)(2) of FECA (2 U.S.C. 441b(b)(2)) is amended—

(A) by inserting "or" after "subject;";

(B) by striking "and their families; and" and inserting "and their families."; and

(C) by striking subparagraph (C).

(c) CANDIDATE'S COMMITTEES.—(1) Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

"(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee that is established, financed, maintained, or controlled, directly or indirectly, by any candidate or Federal officeholder shall be deemed to be an authorized

committee of such candidate or officeholder."

(2) Section 302(e)(3) of FECA (2 U.S.C. 432) is amended to read as follows:

"(3) No political committee that supports, or has supported, more than one candidate may be designated as an authorized committee, except that—

"(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate's principal campaign committee, if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

"(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee."

(d) RULES APPLICABLE WHEN BAN NOT IN EFFECT.—(1) For purposes of FECA, during any period beginning after the effective date in which the limitation under section 324 of that Act (as added by subsection (a)) is not in effect—

(A) the amendments made by subsections (a), (b), and (c) shall not be in effect;

(B) it shall be unlawful for a multicandidate political committee, intermediary, or conduit (as that term is defined in section 315(a)(8) of FECA, as amended by section 231 of this Act), to make a contribution to a candidate for election, or nomination for election, to Federal office (or an authorized committee) to the extent that the making or accepting of the contribution will cause the amount of contributions received by the candidate and the candidate's authorized committees from multicandidate political committees to exceed 20 percent of the aggregate Federal election spending limits applicable to the candidate for the election cycle; and

(C) it shall be unlawful for a political committee, intermediary, or conduit, as that term is defined in section 315(a)(8) of FECA (as amended by section 231 of this Act), to make a contribution to a candidate for election, or a nomination for an election, to Federal office (or an authorized committee of such candidate) in excess of the amount an individual is allowed to give directly to a candidate or a candidate's authorized committee.

(2) A candidate or authorized committee that receives a contribution from a multicandidate political committee in excess of the amount allowed under paragraph (1)(B) shall return the amount of such excess contribution to the contributor.

### Subtitle B—Contributions

#### SEC. 211. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS.

Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is amended to read as follows:

"(8) For the purposes of this subsection:

"(A) Contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to a candidate, shall be treated as contributions from the person to the candidate. If a contribution is made to a candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of the contribution to the Commission and the intended recipient.

"(B) Contributions made directly or indirectly by a person to or on behalf of a particular candidate through an intermediary or conduit, including contributions arranged to be made by an intermediary or conduit, shall be treated as contributions from the intermediary or conduit to the candidate if—

"(i) the contributions made through the intermediary or conduit are in the form of a

check or other negotiable instrument made payable to the intermediary or conduit rather than the intended recipient; or

“(ii) the intermediary or conduit is—

“(I) a political committee with a connected organization, a political party, or an officer, employee, or agent of either;

“(II) a person whose activities are required to be reported under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267), the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), or any successor Federal law requiring a person who is a lobbyist or foreign agent to report the activities of such person;

“(III) a person who is prohibited from making contributions under section 316 or a partnership; or

“(IV) an officer, employee, or agent of a person described in subclause (II) or (III) acting on behalf of such person.

“(C) The term ‘contributions arranged to be made’ includes—

“(i) (I) contributions delivered directly or indirectly to a particular candidate or the candidate’s authorized committee or agent by the person who facilitated the contribution; and

“(II) contributions made directly or indirectly to a particular candidate or the candidate’s authorized committee or agent that are provided at a fundraising event sponsored by an intermediary or conduit described in subparagraph (B);

(D) This paragraph shall not prohibit—

“(i) fundraising efforts for the benefit of a candidate that are conducted by another candidate or Federal officeholder; or

“(ii) the solicitation by an individual using the individual’s resources and acting in the individual’s own name of contributions from other persons in a manner not described in paragraphs (B) and (C).”

#### Subtitle C—Additional Prohibitions on Contributions

##### SEC. 221. ALLOWABLE CONTRIBUTIONS FOR COMPLYING CANDIDATES.

For the purposes of this Act, in order for a candidate to be considered to be in compliance with the spending limits contained in this Act, not less than 60 percent of the total dollar amount of all contributions from individuals to a candidate or a candidate’s authorized committee, not including any expenditures, contributions or loans made by the candidate, shall come from individuals legally residing in the candidate’s State.

#### TITLE III—MISCELLANEOUS PROVISIONS

##### SEC. 301. CANDIDATE EXPENDITURES FROM PERSONAL FUNDS.

Section 315 of FECA (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

“(i)(1)(A) Not later than 15 days after a candidate qualifies for a primary election ballot under State law, the candidate shall file with the Commission, and each other candidate who has qualified for that ballot, a declaration stating whether the candidate intends to expend during the election cycle an amount exceeding \$250,000 from—

“(i) the candidate’s personal funds;

“(ii) the funds of the candidate’s immediate family; and

“(iii) personal loans incurred by the candidate and the candidate’s immediate family in connection with the candidate’s election campaign.

“(B) The declaration required by subparagraph (A) shall be in such form and contain such information as the Commission may require by regulation.

“(2) Notwithstanding subsection (a), the limitations on contributions under subsection (a) shall be modified as provided under paragraph (3) with respect to other candidates for the same office who are not

described in subparagraph (A), (B), or (C), if the candidate—

“(A) declares under paragraph (1) that the candidate intends to expend for the primary and general election funds described in such paragraph in an amount exceeding \$250,000;

“(B) expends such funds in the primary and general election in an amount exceeding \$250,000; or

“(C) fails to file the declaration required by paragraph (1).

“(3) For purposes of paragraph (2)—

“(A) if a candidate described in paragraph (2)(B) expends funds in an amount exceeding \$250,000, the limitation under subsection (a)(1)(A) shall be increased to \$2,000; and

“(B) if a candidate described in paragraph (2)(B) expends funds in an amount exceeding \$250,000, the limitation under subsection (a)(1)(A) shall be increased to \$5,000.

“(4) If—

“(A) the modifications under paragraph (3) apply for a convention or a primary election by reason of 1 or more candidates taking (or failing to take) any action described in subparagraph (A), (B), or (C) of paragraph (2); and

“(B) such candidates are not candidates in any subsequent election in the same election campaign, including the general election, paragraph (3) shall cease to apply to the other candidates in such campaign.

“(5) No increase described in paragraph (3) shall apply under paragraph (2) to non-eligible Senate candidates in any election if eligible Senate candidates are participating in the same election campaign.

“(6) A candidate who—

“(A) declares, pursuant to paragraph (1), that the candidate does not intend to expend funds described in paragraph (1) in excess of \$250,000; and

“(B) subsequently changes such declaration or expends such funds in excess of that amount,

shall file an amended declaration with the Commission and notify all other candidates for the same office not later than 24 hours after changing such declaration or exceeding such limits, whichever first occurs, by sending a notice by certified mail, return receipt requested.”

##### SEC. 302. RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR PERSONAL PURPOSES.

(a) RESTRICTIONS ON USE OF CAMPAIGN FUNDS.—Title III of FECA (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

#### “RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR PERSONAL PURPOSES

“SEC. 324. (a) An individual who receives contributions as a candidate for Federal office—

“(1) shall use such contributions only for legitimate and verifiable campaign expenses; and

“(2) shall not use such contributions for any inherently personal purpose.

“(b) As used in this subsection—

“(1) the term ‘campaign expenses’ means expenses attributable solely to bona fide campaign purposes; and

“(2) the term ‘inherently personal purpose’ means a purpose that, by its nature, confers a personal benefit, including a home mortgage payment, clothing purchase, noncampaign automobile expense, country club membership, vacation, or trip of a noncampaign nature, and any other inherently personal living expense as determined under the regulations promulgated pursuant to section 302(b) of the Senate Campaign Spending Limit and Election Reform Act of 1995.”

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Federal Election Commission shall promulgate regulations to implement sub-

section (a). Such regulations shall apply to all contributions possessed by an individual at the time of implementation of this section.

##### SEC. 303. CAMPAIGN ADVERTISING AMENDMENTS.

Section 318 of FECA (2 U.S.C. 441d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—  
(i) by striking “Whenever” and inserting “Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever”;

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

(iii) by striking “direct”; and

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

(2) by adding at the end the following new subsections:

“(c) Any printed communication described in subsection (a) shall be—

“(1) of sufficient type size to be clearly readable by the recipient of the communication;

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

“(3) consist of a reasonable degree of color contrast between the background and the printed statement.

“(d)(1) Any broadcast or cablecast communication described in subsection (a)(1) or subsection (a)(2) shall include, in addition to the requirements of those subsections, an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

“(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the communication shall include, in addition to the audio statement under paragraph (1), a written statement which—

“(A) states: ‘I (name of the candidate), am a candidate for (the office the candidate is seeking) and I have approved this message’;

“(B) appears at the end of the communication in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

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

“(e) Any broadcast or cablecast communication described in subsection (a)(3) shall include, in addition to the requirements of those subsections, in a clearly spoken manner, the following statement:

‘\_\_\_\_\_ is responsible for the content of this advertisement.’ (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If broadcast or cablecast by means of television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.”

“(f) Any printed communication described in subsection (a) shall include, in addition to the requirements of those subsections, in a clearly readable manner, the following statement:

‘\_\_\_\_\_ is responsible for the content of this advertisement.’ (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If broadcast or cablecast by means of television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.”

##### SEC. 304. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES.

Section 302(g) of FECA (2 U.S.C. 432(g)) is amended by adding at the end the following new paragraph:

“(6)(A) The Commission, in consultation with the Secretary of the Senate and the Clerk of the House of Representatives, may prescribe regulations under which persons required to file designations, statements, and reports under this Act—

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

“(ii) may maintain and file them in that manner if not required to do so under regulations prescribed under clause (i).

“(B) The Commission, in consultation with the Secretary of the Senate and the Clerk of the House of Representatives, shall prescribe regulations which allow persons to file designations, statements, and reports required by this Act through the use of facsimile machines.

“(C) In prescribing regulations under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulations. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.

“(D) The Secretary of the Senate and the Clerk of the House of Representatives shall ensure that any computer or other system that they may develop and maintain to receive designations, statements, and reports in the forms required or permitted under this paragraph is compatible with any such system that the Commission may develop and maintain.”

#### SEC. 305. AUDITS.

(a) RANDOM AUDITS.—Section 311(b) of FECA (2 U.S.C. 438(b)) is amended—

(1) by inserting “(1)” before “The Commission”; and

(2) by adding at the end the following new paragraph:

“(2) Notwithstanding paragraph (1), the Commission may after all elections are completed conduct random audits and investigations to ensure voluntary compliance with this Act. The subjects of such audits and investigations shall be selected on the basis of criteria established by vote of at least 4 members of the Commission to ensure impartiality in the selection process. This paragraph does not apply to an authorized committee of a candidate for President or Vice President subject to audit under title VI or to an authorized committee of an eligible Senate candidate or an eligible House candidate subject to audit under section 522(a).”

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

#### SEC. 306. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6)(A) of title 39, United States Code, is amended to read as follows:

“(A) A Member of Congress shall not mail any mass mailing as franked mail during a year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that Office, unless the Member has made a public announcement that the Member will not be a candidate for reelection to that year or for election to any other Federal office.”

#### SEC. 307. AUTHORITY TO SEEK INJUNCTION.

Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following new paragraph:

“(13)(A) If, at any time in a proceeding described in paragraph (1), (2), (3), or (4), the Commission believes that—

“(i) there is a substantial likelihood that a violation of this Act is occurring or is about to occur;

“(ii) the failure to act expeditiously will result in irreparable harm to a party affected by the potential violation;

“(iii) expeditious action will not cause undue harm or prejudice to the interests of others; and

“(iv) the public interest would be best served by the issuance of an injunction,

the Commission may initiate a civil action for a temporary restraining order or a temporary injunction pending the outcome of the proceedings described in paragraphs (1), (2), (3), and (4).

“(B) An action under subparagraph (A) shall be brought in the United States district court for the district in which the defendant resides, transacts business, or may be found, or in which the violation is occurring, has occurred, or is about to occur.”;

(2) in paragraph (7), by striking “(5) or (6)” and inserting “(5), (6), or (13)”;

(3) in paragraph (11), by striking “(6)” and inserting “(6) or (13)”.

#### SEC. 308. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

#### SEC. 309. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.

(a) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

(b) ACCEPTANCE AND EXPEDITION.—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

#### SEC. 310. REPORTING REQUIREMENTS.

(a) CONTRIBUTORS.—Section 302(c)(3) of FECA (2 U.S.C. 432(c)(3)) is amended by striking “\$200” and inserting “\$50”.

(b) DISBURSEMENTS.—Section 302(c)(5) of FECA (2 U.S.C. 432(c)(5)) is amended by striking “\$200” and inserting “\$50”.

#### SEC. 311. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act not later than 9 months after the effective date of this Act.

#### SEC. 312. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of the enactment of this Act.

#### AMENDMENT NO. 4103

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Senate Campaign Spending Limit and Election Reform Act of 1995”.

#### SEC. 2. AMENDMENT OF CAMPAIGN ACT; TABLE OF CONTENTS.

(a) AMENDMENT OF FECA.—When used in this Act, the term “FECA” means the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

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

Sec. 1. Short title.

Sec. 2. Amendment of Campaign Act; table of contents.

#### TITLE I—SENATE ELECTION SPENDING LIMITS AND BENEFITS

Sec. 101. Senate election spending limits and benefits.

Sec. 102. Transition provisions.

Sec. 103. Free broadcast time.

Sec. 104. Broadcast rates and preemption.

Sec. 105. Reduced postage rates.

Sec. 106. Contribution limit for eligible Senate candidates.

#### TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE

Subtitle A—Elimination of Political Action Committees From Federal Election Activities

Sec. 201. Ban on activities of political action committees in Federal elections.

#### Subtitle B—Contributions

Sec. 211. Contributions through intermediaries and conduits.

#### Subtitle C—Additional Prohibitions on Contributions

Sec. 221. Allowable contributions for complying candidates.

#### TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Restrictions on use of campaign funds for personal purposes.

Sec. 302. Campaign advertising amendments.

Sec. 303. Filing of reports using computers and facsimile machines.

Sec. 304. Audits.

Sec. 305. Limit on congressional use of the franking privilege.

Sec. 306. Authority to seek injunction.

Sec. 307. Severability.

Sec. 308. Expedited review of constitutional issues.

Sec. 309. Reporting requirements.

Sec. 310. Regulations.

Sec. 311. Effective date.

#### TITLE I—SENATE ELECTION SPENDING LIMITS AND BENEFITS

#### SEC. 101. SENATE ELECTION SPENDING LIMITS AND BENEFITS.

FECA is amended by adding at the end the following new title:

#### “TITLE V—SPENDING LIMITS AND BENEFITS FOR SENATE ELECTION CAMPAIGNS

#### “SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.

“(a) IN GENERAL.—For purposes of this title, a candidate is an eligible Senate candidate if the candidate—

“(1) meets the primary and general election filing requirements of subsections (c) and (d);

“(2) meets the primary and runoff election expenditure limits of subsection (b);

“(3) meets the threshold contribution requirements of subsection (e); and

“(4) does not exceed the limitation on expenditures from personal funds under section 502(a).

“(b) PRIMARY AND RUNOFF EXPENDITURE LIMITS.—

“(1) IN GENERAL.—The requirements of this subsection are met if—

“(A) the candidate or the candidate’s authorized committees did not make expenditures for the primary election in excess of the lesser of—

“(i) 67 percent of the general election expenditure limit under section 502(b); or

“(ii) \$2,750,000; and

“(B) the candidate and the candidate’s authorized committees did not make expenditures for any runoff election in excess of 20 percent of the general election expenditure limit under section 502(b).

“(2) INDEXING.—The \$2,750,000 amount under paragraph (1)(A)(ii) shall be increased

as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 1995.

“(3) INCREASE BASED ON EXPENDITURES OF OPPONENT.—The limitations under paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on behalf of any opponent of, such candidate during the primary or runoff election period, whichever is applicable, that are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

“(c) PRIMARY FILING REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met if the candidate files with the Secretary of the Senate a certification that—

“(A) the candidate and the candidate’s authorized committees—

“(i) will meet the primary and runoff election expenditure limits of subsection (b); and  
“(ii) will only accept contributions for the primary and runoff elections which do not exceed such limits;

“(B) the candidate and the candidate’s authorized committees will meet the limitation on expenditures from personal funds under section 502(a); and

“(C) the candidate and the candidate’s authorized committees will meet the general election expenditure limit under section 502(b).

“(2) DEADLINE FOR FILING CERTIFICATION.—The certification under paragraph (1) shall be filed not later than the date the candidate files as a candidate for the primary election.

“(d) GENERAL ELECTION FILING REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met if the candidate files a certification with the Secretary of the Senate under penalty of perjury that—

“(A) the candidate and the candidate’s authorized committees—

“(i) met the primary and runoff election expenditure limits under subsection (b); and

“(ii) did not accept contributions for the primary or runoff election in excess of the primary or runoff expenditure limit under subsection (b), whichever is applicable, reduced by any amounts transferred to this election cycle from a preceding election cycle;

“(B) at least one other candidate has qualified for the same general election ballot under the law of the State involved;

“(C) the candidate and the authorized committees of the candidate—

“(i) except as otherwise provided by this title, will not make expenditures that exceed the general election expenditure limit under section 502(b);

“(ii) will not accept any contributions in violation of section 315;

“(iii) except as otherwise provided by this title, will not accept any contribution for the general election involved to the extent that such contribution would cause the aggregate amount of contributions to exceed the sum of the amount of the general election expenditure limit under section 502(b), reduced by any amounts transferred to this election cycle from a previous election cycle and not taken into account under subparagraph (A)(ii);

“(iv) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission; and

“(v) will cooperate in the case of any audit and examination by the Commission; and

“(D) the candidate intends to make use of the benefits provided under section 503.

“(2) DEADLINE FOR FILING CERTIFICATION.—The certification under paragraph (1) shall

be filed not later than 7 days after the earlier of—

“(A) the date the candidate qualifies for the general election ballot under State law; or

“(B) if under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

“(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met if the candidate and the candidate’s authorized committees have received allowable contributions during the applicable period in an amount at least equal to the lesser of—

“(A) 10 percent of the general election expenditure limit under section 502(b); or

“(B) \$250,000.

“(2) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘allowable contributions’ means contributions that are made as gifts of money by an individual pursuant to a written instrument identifying such individual as the contributor; and

“(B) the term ‘applicable period’ means—

“(i) the period beginning on January 1 of the calendar year preceding the calendar year of the general election involved and ending on the date on which the certification under subsection (c)(2) is filed by the candidate; or

“(ii) in the case of a special election for the office of United States Senator, the period beginning on the date the vacancy in such office occurs and ending on the date of the general election.

“SEC. 502. LIMITATION ON EXPENDITURES.

“(a) LIMITATION ON USE OF PERSONAL FUNDS.—

“(1) IN GENERAL.—The aggregate amount of expenditures that may be made during an election cycle by an eligible Senate candidate or such candidate’s authorized committees from the sources described in paragraph (2) shall not exceed the lesser of—

“(A) 10 percent of the general election expenditure limit under subsection (b); or

“(B) \$250,000.

“(2) SOURCES.—A source is described in this subsection if it is—

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

“(B) personal loans incurred by the candidate and members of the candidate’s immediate family.

“(b) GENERAL ELECTION EXPENDITURE LIMIT.—

“(1) IN GENERAL.—Except as otherwise provided in this title, the aggregate amount of expenditures for a general election by an eligible Senate candidate and the candidate’s authorized committees shall not exceed the lesser of—

“(A) \$5,500,000; or

“(B) the greater of—

“(i) \$950,000; or

“(ii) \$400,000; plus

“(1) 30 cents multiplied by the voting age population not in excess of 4,000,000; and

“(II) 25 cents multiplied by the voting age population in excess of 4,000,000.

“(2) EXCEPTION.—In the case of an eligible Senate candidate in a State that has not more than 1 transmitter for a commercial Very High Frequency (VHF) television station licensed to operate in that State, paragraph (1)(B)(ii) shall be applied by substituting—

“(A) ‘80 cents’ for ‘30 cents’ in subclause (I); and

“(B) ‘70 cents’ for ‘25 cents’ in subclause (II).

“(3) INDEXING.—The amount otherwise determined under paragraph (1) for any calendar year shall be increased by the same percentage as the percentage increase for such calendar year under section 501(b)(2).

“(4) INCREASE BASED ON EXPENDITURES OF OPPONENT.—The limitations under paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on behalf of any opponent of, such candidate during the primary or runoff election period, whichever is applicable, that are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

“(c) PAYMENT OF TAXES.—The limitation under subsection (b) shall not apply to any expenditure for Federal, State, or local taxes with respect to earnings on contributions raised.

“SEC. 503. BENEFITS ELIGIBLE CANDIDATES ENTITLED TO RECEIVE.

“An eligible Senate candidate shall be entitled to receive—

“(1) the broadcast media rates provided under section 315(b) of the Communications Act of 1934;

“(2) the free broadcast time provided under section 315(c) of such Act; and

“(3) the reduced postage rates provided in section 3626(e) of title 39, United States Code.

“SEC. 504. CERTIFICATION BY COMMISSION.

“(a) IN GENERAL.—Not later than 48 hours after a candidate qualifies for a general election ballot, the Commission shall certify the candidate’s eligibility for free broadcast time under section 315(b)(2) of the Communications Act of 1934. The Commission shall revoke such certification if it determines a candidate fails to continue to meet the requirements of this title.

“(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under subsection (a)) made by the Commission under this title shall be final, except to the extent that they are subject to examination and audit by the Commission under section 505.

“SEC. 505. REPAYMENTS; ADDITIONAL CIVIL PENALTIES.

“(a) EXCESS PAYMENTS; REVOCATION OF STATUS.—If the Commission revokes the certification of a candidate as an eligible Senate candidate under section 504(a), the Commission shall notify the candidate, and the candidate shall pay an amount equal to the value of the benefits received under this title.

“(b) MISUSE OF BENEFITS.—If the Commission determines that any benefit made available to an eligible Senate candidate under this title was not used as provided for in this title, the Commission shall so notify the candidate and the candidate shall pay an amount equal to the value of such benefit.”.

SEC. 102. TRANSITION PROVISIONS.

(a) EXPENDITURES MADE PRIOR TO DATE OF ENACTMENT.—(1) Expenditures made by an eligible Senate candidate on or prior to the date of enactment of this title shall not be counted against the limits specified in section 502 of FECA, as amended by section 101.

(2) For purposes of this section, the term “expenditure” includes any direct or indirect payment or distribution or obligation to make payment or distribution of money.

(b) RELATIONSHIP TO OTHER TITLES.—The provisions of titles I through IV of the Federal Election Campaign Act of 1971 shall remain in effect with respect to Senate election campaigns affected by this title or the amendments made by this title except to the extent that those provisions are inconsistent with this title or the amendments made by this title.

**SEC. 103. FREE BROADCAST TIME.**

(a) IN GENERAL.—Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in subsection (a)—

(A) by striking “within the meaning of this subsection” and inserting “within the meaning of this subsection and subsection (c)”;

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(C) by inserting immediately after subsection (b) the following new subsection:

“(c)(1) An eligible Senate candidate who has qualified for the general election ballot shall be entitled to receive a total of 30 minutes of free broadcast time from broadcasting stations within the State.

“(2) Unless a candidate elects otherwise, the broadcast time made available under this subsection shall be between 6:00 p.m. and 10:00 p.m. on any day that falls on Monday through Friday.

“(3) If—

(A) a licensee’s audience with respect to any broadcasting station is measured or rated by a recognized media rating service in more than 1 State; and

(B) during the period beginning on the first day following the date of the last general election and ending on the date of the next general election there is an election to the United States Senate in more than 1 of such States,

the 30 minutes of broadcast time under this subsection shall be allocated equally among the States described in subparagraph (B).

“(4)(A) In the case of an election among more than 2 candidates, the broadcast time provided under paragraph (1) shall be allocated as follows:

“(i) The amount of broadcast time that shall be provided to the candidate of a minor party shall be equal to the number of minutes allocable to the State multiplied by the percentage of the number of popular votes received by the candidate of that party in the preceding general election for the Senate in the State (or if subsection (d)(4)(B) applies, the percentage determined under such subsection).

“(ii) The amount of broadcast time remaining after assignment of broadcast time to minor party candidates under clause (i) shall be allocated equally between the major party candidates.

“(B) In the case of an election where only 1 candidate qualifies to be on the general election ballot, no time shall be required to be provided by a licensee under this subsection.

“(5) The Federal Election Commission shall by regulation exempt from the requirements of this subsection—

“(A) a licensee whose signal is broadcast substantially nationwide; and

“(B) a licensee that establishes that such requirements would impose a significant economic hardship on the licensee.”; and

(2) in subsection (d), as redesignated—

(A) by striking “and” at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting a semicolon; and

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

“(3) the term ‘major party’ means, with respect to an election for the United States Senate in a State, a political party whose candidate for the United States Senate in the preceding general election for the Senate in that State received, as a candidate of that party, 25 percent or more of the number of popular votes received by all candidates for the Senate;

“(4) the term ‘minor party’ means, with respect to an election for the United States Senate in a State, a political party—

“(A) whose candidate for the United States Senate in the preceding general election for the Senate in that State received 5 percent or more but less than 25 percent of the number of popular votes received by all candidates for the Senate; or

“(B) whose candidate for the United States Senate in the current general election for the Senate in that State has obtained the signatures of at least 5 percent of the State’s registered voters, as determined by the chief voter registration official of the State, in support of a petition for an allocation of free broadcast time under this subsection; and

“(5) the term ‘Senate election cycle’ means, with respect to an election to a seat in the United States Senate, the 2-year period ending on the date of the general election for that seat.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to general elections occurring after December 31, 1995 (and the election cycles relating thereto).

**SEC. 104. BROADCAST RATES AND PREEMPTION.**

(a) BROADCAST RATES.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) by striking “(b) The changes” and inserting “(b)(1) The changes”;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) in paragraph (1)(A), as redesignated—

(A) by striking “forty-five” and inserting “30”;

(B) by striking “lowest unit charge of the station for the same class and amount of time for the same period” and inserting “lowest charge of the station for the same amount of time for the same period on the same date”; and

(4) by adding at the end the following new paragraph:

“(2) In the case of an eligible Senate candidate (as described in section 501(a) of the Federal Election Campaign Act), the charges for the use of a television broadcasting station during the 30-day period and 60-day period referred to in paragraph (1)(A) shall not exceed 50 percent of the lowest charge described in paragraph (1)(A).”.

(b) PREEMPTION; ACCESS.—Section 315 of such Act (47 U.S.C. 315), as amended by section 102(a), is amended—

(1) by redesignating subsections (d) and (e) as redesignated, as subsections (e) and (f), respectively; and

(2) by inserting immediately after subsection (c) the following subsection:

“(d)(1) Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1)(A), of a broadcasting station by an eligible Senate candidate who has purchased and paid for such use pursuant to subsection (b)(2).

“(2) If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted.”.

(c) REVOCATION OF LICENSE FOR FAILURE TO PERMIT ACCESS.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended—

(1) by striking “or repeated”;

(2) by inserting “or cable system” after “broadcasting station”; and

(3) by striking “his candidacy” and inserting “the candidacy of such person, under the same terms, conditions, and business practices as apply to its most favored advertiser”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to the general elections occurring after December 31, 1995 (and the election cycles relating thereto).

**SEC. 105. REDUCED POSTAGE RATES.**

(a) IN GENERAL.—Section 3626(e) of title 39, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “and the National” and inserting “the National”; and

(ii) by inserting before the semicolon the following: “, and, subject to paragraph (3), the principal campaign committee of an eligible Senate candidate;”;

(B) in subparagraph (B), by striking “and” after the semicolon;

(C) in subparagraph (C), by striking the period and inserting a semicolon; and

(D) by adding after subparagraph (C) the following new subparagraphs:

“(D) the term ‘principal campaign committee’ has the meaning given such term in section 301 of the Federal Election Campaign Act of 1971; and

“(E) the term ‘eligible Senate candidate’ has the meaning given such term in section 501(a) of the Federal Election Campaign Act of 1971.”; and

(2) by adding after paragraph (2) the following new paragraph:

“(3) The rate made available under this subsection with respect to an eligible Senate candidate shall apply only to that number of pieces of mail equal to 2 times the number of individuals in the voting age population (as certified under section 315(e) of such Act) of the State.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to the general elections occurring after December 31, 1995 (and the election cycles relating thereto).

**SEC. 106. CONTRIBUTION LIMIT FOR ELIGIBLE SENATE CANDIDATES.**

Section 315(a)(1) of FECA (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (A) by inserting “except as provided in subparagraph (B),” before “to”;

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(3) by inserting after subparagraph (A) the following:

“(B) if the general election expenditure, primary election expenditure limit, or runoff election expenditure limit applicable to an eligible Senate candidate has been increased under section 502(d), to the eligible Senate candidate and the authorized political committees of the candidate with respect to any election for the office of United States Senator, which, in the aggregate, exceed \$2,000.”.

**TITLE II—REDUCTION OF SPECIAL INTEREST INFLUENCE****Subtitle A—Elimination of Political Action Committees From Federal Election Activities****SEC. 201. BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES IN FEDERAL ELECTIONS.**

(a) IN GENERAL.—Title III of FECA (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

**“BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL ACTION COMMITTEES**

“SEC. 324. Notwithstanding any other provision of this Act, no person other than an individual or a political committee may make contributions, solicit or receive contributions, or make expenditures for the purpose of influencing an election for Federal office.”.

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Section 301(4) of FECA (2 U.S.C. 431(4)) is amended to read as follows:

“(4) The term ‘political committee’ means—

“(A) the principal campaign committee of a candidate;

“(B) any national, State, or district committee of a political party, including any subordinate committee thereof;

“(C) any local committee of a political party that—

“(i) receives contributions aggregating in excess of \$5,000 during a calendar year;

“(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of \$5,000 during a calendar year; or

“(iii) makes contributions or expenditures aggregating in excess of \$1,000 during a calendar year; and

“(D) any committee jointly established by a principal campaign committee and any committee described in subparagraph (B) or (C) for the purpose of conducting joint fundraising activities.”

(2) Section 316(b)(2) of FECA (2 U.S.C. 441b(b)(2)) is amended—

(A) by inserting “or” after “subject;”;

(B) by striking “and their families; and” and inserting “and their families.”; and

(C) by striking subparagraph (C).

(c) CANDIDATE'S COMMITTEES.—(1) Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

“(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee that is established, financed, maintained, or controlled, directly or indirectly, by any candidate or Federal officeholder shall be deemed to be an authorized committee of such candidate or officeholder.”

(2) Section 302(e)(3) of FECA (2 U.S.C. 432) is amended to read as follows:

“(3) No political committee that supports, or has supported, more than one candidate may be designated as an authorized committee, except that—

“(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate's principal campaign committee, if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

“(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee.”

(d) RULES APPLICABLE WHEN BAN NOT IN EFFECT.—(1) For purposes of FECA, during any period beginning after the effective date in which the limitation under section 324 of that Act (as added by subsection (a)) is not in effect—

(A) the amendments made by subsections (a), (b), and (c) shall not be in effect;

(B) it shall be unlawful for a multicandidate political committee, intermediary, or conduit (as that term is defined in section 315(a)(8) of FECA, as amended by section 231 of this Act), to make a contribution to a candidate for election, or nomination for election, to Federal office (or an authorized committee) to the extent that the making or accepting of the contribution will cause the amount of contributions received by the candidate and the candidate's authorized committees from multicandidate political committees to exceed 20 percent of the aggregate Federal election spending limits applicable to the candidate for the election cycle; and

(C) it shall be unlawful for a political committee, intermediary, or conduit, as that term is defined in section 315(a)(8) of FECA (as amended by section 231 of this Act), to make a contribution to a candidate for election, or a nomination for an election, to Federal office (or an authorized committee of such candidate) in excess of the amount an individual is allowed to give directly to a candidate or a candidate's authorized committee.

(2) A candidate or authorized committee that receives a contribution from a multicandidate political committee in excess of the amount allowed under paragraph (1)(B) shall return the amount of such excess contribution to the contributor.

#### Subtitle B—Contributions

#### SEC. 211. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS.

Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is amended to read as follows:

“(8) For the purposes of this subsection:

“(A) Contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to a candidate, shall be treated as contributions from the person to the candidate. If a contribution is made to a candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of the contribution to the Commission and the intended recipient.

“(B) Contributions made directly or indirectly by a person to or on behalf of a particular candidate through an intermediary or conduit, including contributions arranged to be made by an intermediary or conduit, shall be treated as contributions from the intermediary or conduit to the candidate if—

“(i) the contributions made through the intermediary or conduit are in the form of a check or other negotiable instrument made payable to the intermediary or conduit rather than the intended recipient; or

“(ii) the intermediary or conduit is—

“(I) a political committee with a connected organization, a political party, or an officer, employee, or agent of either;

“(II) a person whose activities are required to be reported under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267), the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), or any successor Federal law requiring a person who is a lobbyist or foreign agent to report the activities of such person;

“(III) a person who is prohibited from making contributions under section 316 or a partnership; or

“(IV) an officer, employee, or agent of a person described in subclause (II) or (III) acting on behalf of such person.

“(C) The term ‘contributions arranged to be made’ includes—

“(i)(I) contributions delivered directly or indirectly to a particular candidate or the candidate's authorized committee or agent by the person who facilitated the contribution; and

“(II) contributions made directly or indirectly to a particular candidate or the candidate's authorized committee or agent that are provided at a fundraising event sponsored by an intermediary or conduit described in subparagraph (B);

“(D) This paragraph shall not prohibit—

“(i) fundraising efforts for the benefit of a candidate that are conducted by another candidate or Federal officeholder; or

“(ii) the solicitation by an individual using the individual's resources and acting in the individual's own name of contributions from other persons in a manner not described in paragraphs (B) and (C).”

#### Subtitle C—Additional Prohibitions on Contributions

#### SEC. 221. ALLOWABLE CONTRIBUTIONS FOR COMPLYING CANDIDATES.

For the purposes of this Act, in order for a candidate to be considered to be in compliance with the spending limits contained in this Act, not less than 60 percent of the total dollar amount of all contributions from individuals to a candidate or a candidate's au-

thorized committee, not including any expenditures, contributions or loans made by the candidate, shall come from individuals legally residing in the candidate's State.

#### TITLE III—MISCELLANEOUS PROVISIONS

#### SEC. 301. RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR PERSONAL PURPOSES.

(a) RESTRICTIONS ON USE OF CAMPAIGN FUNDS.—Title III of FECA (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

#### “RESTRICTIONS ON USE OF CAMPAIGN FUNDS FOR PERSONAL PURPOSES

“SEC. 324. (a) An individual who receives contributions as a candidate for Federal office—

“(1) shall use such contributions only for legitimate and verifiable campaign expenses; and

“(2) shall not use such contributions for any inherently personal purpose.

“(b) As used in this subsection—

“(1) the term ‘campaign expenses’ means expenses attributable solely to bona fide campaign purposes; and

“(2) the term ‘inherently personal purpose’ means a purpose that, by its nature, confers a personal benefit, including a home mortgage payment, clothing purchase, noncampaign automobile expense, country club membership, vacation, or trip of a noncampaign nature, and any other inherently personal living expense as determined under the regulations promulgated pursuant to section 302(b) of the Senate Campaign Spending Limit and Election Reform Act of 1995.”

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Federal Election Commission shall promulgate regulations to implement subsection (a). Such regulations shall apply to all contributions possessed by an individual at the time of implementation of this section.

#### SEC. 302. CAMPAIGN ADVERTISING AMENDMENTS.

Section 318 of FECA (2 U.S.C. 441d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking “Whenever” and inserting “Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever”;

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

(iii) by striking “direct”; and

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

(2) by adding at the end the following new subsections:

“(c) Any printed communication described in subsection (a) shall be—

“(1) of sufficient type size to be clearly readable by the recipient of the communication;

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

“(3) consist of a reasonable degree of color contrast between the background and the printed statement.

“(d)(1) Any broadcast or cablecast communication described in subsection (a)(1) or subsection (a)(2) shall include, in addition to the requirements of those subsections, an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

“(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the communication shall include, in addition to

the audio statement under paragraph (1), a written statement which—

“(A) states: ‘I (name of the candidate), am a candidate for (the office the candidate is seeking) and I have approved this message’;

“(B) appears at the end of the communication in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

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

“(e) Any broadcast or cablecast communication described in subsection (a)(3) shall include, in addition to the requirements of those subsections, in a clearly spoken manner, the following statement: ‘\_\_\_\_\_ is responsible for the content of this advertisement.’ (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If broadcast or cablecast by means of television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.”.

#### SEC. 303. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES.

Section 302(g) of FECA (2 U.S.C. 432(g)) is amended by adding at the end the following new paragraph:

“(6)(A) The Commission, in consultation with the Secretary of the Senate and the Clerk of the House of Representatives, may prescribe regulations under which persons required to file designations, statements, and reports under this Act—

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

“(ii) may maintain and file them in that manner if not required to do so under regulations prescribed under clause (i).

“(B) The Commission, in consultation with the Secretary of the Senate and the Clerk of the House of Representatives, shall prescribe regulations which allow persons to file designations, statements, and reports required by this Act through the use of facsimile machines.

“(C) In prescribing regulations under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulations. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.

“(D) The Secretary of the Senate and the Clerk of the House of Representatives shall ensure that any computer or other system that they may develop and maintain to receive designations, statements, and reports in the forms required or permitted under this paragraph is compatible with any such system that the Commission may develop and maintain.”.

#### SEC. 304. AUDITS.

(a) RANDOM AUDITS.—Section 311(b) of FECA (2 U.S.C. 438(b)) is amended—

(1) by inserting “(1)” before “The Commission”; and

(2) by adding at the end the following new paragraph:

“(2) Notwithstanding paragraph (1), the Commission may after all elections are completed conduct random audits and investiga-

tions to ensure voluntary compliance with this Act. The subjects of such audits and investigations shall be selected on the basis of criteria established by vote of at least 4 members of the Commission to ensure impartiality in the selection process. This paragraph does not apply to an authorized committee of a candidate for President or Vice President subject to audit under title VI or to an authorized committee of an eligible Senate candidate or an eligible House candidate subject to audit under section 522(a).”.

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

#### SEC. 305. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6)(A) of title 39, United States Code, is amended to read as follows:

“(A) A Member of Congress shall not mail any mass mailing as franked mail during a year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that Office, unless the Member has made a public announcement that the Member will not be a candidate for reelection to that year or for election to any other Federal office.”.

#### SEC. 306. AUTHORITY TO SEEK INJUNCTION.

Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following new paragraph:

“(13)(A) If, at any time in a proceeding described in paragraph (1), (2), (3), or (4), the Commission believes that—

“(i) there is a substantial likelihood that a violation of this Act is occurring or is about to occur;

“(ii) the failure to act expeditiously will result in irreparable harm to a party affected by the potential violation;

“(iii) expeditious action will not cause undue harm or prejudice to the interests of others; and

“(iv) the public interest would be best served by the issuance of an injunction, the Commission may initiate a civil action for a temporary restraining order or a temporary injunction pending the outcome of the proceedings described in paragraphs (1), (2), (3), and (4).

“(B) An action under subparagraph (A) shall be brought in the United States district court for the district in which the defendant resides, transacts business, or may be found, or in which the violation is occurring, has occurred, or is about to occur.”;

(2) in paragraph (7), by striking “(5) or (6)” and inserting “(5), (6), or (13)”; and

(3) in paragraph (11), by striking “(6)” and inserting “(6) or (13)”.

#### SEC. 307. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

#### SEC. 308. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.

(a) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

(b) ACCEPTANCE AND EXPEDITION.—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling

below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

#### SEC. 309. REPORTING REQUIREMENTS.

(a) CONTRIBUTORS.—Section 302(c)(3) of FECA (2 U.S.C. 432(c)(3)) is amended by striking “\$200” and inserting “\$50”.

(b) DISBURSEMENTS.—Section 302(c)(5) of FECA (2 U.S.C. 432(c)(5)) is amended by striking “\$200” and inserting “\$50”.

#### SEC. 310. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act not later than 9 months after the effective date of this Act.

#### SEC. 311. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of the enactment of this Act.

#### KERREY AMENDMENTS NOS. 4104–4105

(Ordered to lie on the table.)

Mr. KERREY submitted two amendments intended to be proposed by him to the bill, S. 1219, supra; as follows:

##### AMENDMENT NO. 4104

Beginning on page 20, strike line 10 and all that follows through page 21, line 2, and insert the following:

“(2) PAYMENT OF VALUE OF BENEFITS.—On receipt of notification of revocation of eligibility under paragraph (1), a candidate—

“(A) shall pay an amount equal to 5 times the value of the benefits received under this title; and

“(B) shall be ineligible for benefits available under section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) for the duration of the election cycle.

“(b) MISUSE OF BENEFITS.—If the Commission determines that any benefit made available to an eligible Senate candidate under this title was not used as provided for in this title or that a candidate has violated any of the spending limits contained in this Act, the Commission shall so notify the candidate, and, on receipt of notification, the candidate shall pay an amount equal to 5 times the value of the benefit.”.

##### AMENDMENT NO. 4105

On page 28, between lines 14 and 15, insert the following:

#### SEC. 104. RESPONSES TO INDEPENDENT EXPENDITURES.

Section 315 of the Communications Act of 1934 (47 U.S.C. 315) (as amended by section 103) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following:

“(d) RESPONSES TO INDEPENDENT EXPENDITURES.—An eligible Senate candidate who has been notified by the Federal Election Commission under section 304(c)(4) of the Federal Campaign Act of 1971 that independent expenditures totaling \$10,000 or more have been made in the same election in favor of another candidate or against the eligible Senate candidate shall be entitled to receive free broadcast time from the broadcasting stations to whom the expenditures were made, in an amount of time equal to that purchased by the person making the expenditures.”.

#### CONRAD AMENDMENTS NOS. 4106–4107

(Ordered to lie on the table.)

Mr. CONRAD submitted two amendments intended to be proposed by him to the bill, S. 1219, supra; as follows:

AMENDMENT NO. 4106

Beginning on page 31, strike line 3 and all that follows through page 35, line 10, and insert the following:

SUBTITLE A—LIMITATION ON CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES

**SEC. 201. LIMITATION ON CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES.**

(a) IN GENERAL.—Title III of FECA (2 U.S.C. 301 et seq.) is amended by adding at the end the following:

**“SEC. 324. LIMITATION ON CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES.**

“Notwithstanding any other provision of this Act, no person other than an individual or a political committee may make a contribution to a candidate or candidate’s authorized committee.”.

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Section 301 of FECA (2 U.S.C. 431) (as amended by section 212(d)(2)) is amended—

(A) by striking paragraph (4) and inserting the following:

“(4) The term ‘political committee’ means—

“(A) the principal campaign committee of a candidate;

“(B) any national, State, or district committee of a political party, including any subordinate committee thereof;

“(C) any local committee of a political party that—

“(i) receives contributions aggregating in excess of \$5,000 during a calendar year;

“(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of \$5,000 during a calendar year; or

“(iii) makes contributions or expenditures aggregating in excess of \$1,000 during a calendar year;

“(D) any committee jointly established by a principal campaign committee and any committee described in subparagraph (B) or (C) for the purpose of conducting joint fundraising activities; and

“(E) a small donor multicandidate political committee.”; and

(B) by adding at the end the following:

“(22) The term ‘small donor multicandidate political committee’ means a committee, club, association, or other group of persons, or a separate segregated fund established under section 316(b), that—

“(A) limits to \$200 the amount of contributions that the committee will accept from any individual in a calendar year; and

“(B) makes contributions to more than 1 candidate in a calendar year.”.

(2) Section 316(b)(2) of FECA (2 U.S.C. 441b(b)(2)) is amended—

(A) by inserting “or” after “subject.”;

(B) by striking “and their families; and” and inserting “and their families.”; and

(C) by striking subparagraph (C).

(c) CANDIDATE’S COMMITTEES.—(1) Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

“(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee that is established, financed, maintained, or controlled, directly or indirectly, by any candidate or Federal officeholder shall be deemed to be an authorized committee of such candidate or officeholder.”.

(2) Section 302(e)(3) of FECA (2 U.S.C. 432) is amended to read as follows:

“(3) No political committee that supports, or has supported, more than one candidate may be designated as an authorized committee, except that—

“(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate’s principal campaign committee, if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

“(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee.”.

AMENDMENT NO. 4107

Beginning on page 31, strike line 3 and all that follows through page 35, line 10, and insert the following:

SUBTITLE A—LIMITATION ON CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES

**SEC. 201. LIMITATION ON CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES.**

(a) IN GENERAL.—Title III of FECA (2 U.S.C. 301 et seq.) is amended by adding at the end the following:

**“SEC. 324. LIMITATION ON CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES.**

“Notwithstanding any other provision of this Act, no person other than an individual or a political committee may make a contribution to a candidate or candidate’s authorized committee.”.

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Section 301 of FECA (2 U.S.C. 431) (as amended by section 212(d)(2)) is amended—

(A) by striking paragraph (4) and inserting the following:

“(4) The term ‘political committee’ means—

“(A) the principal campaign committee of a candidate;

“(B) any national, State, or district committee of a political party, including any subordinate committee thereof;

“(C) any local committee of a political party that—

“(i) receives contributions aggregating in excess of \$5,000 during a calendar year;

“(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of \$5,000 during a calendar year; or

“(iii) makes contributions or expenditures aggregating in excess of \$1,000 during a calendar year;

“(D) any committee jointly established by a principal campaign committee and any committee described in subparagraph (B) or (C) for the purpose of conducting joint fundraising activities; and

“(E) a small donor multicandidate political committee.”; and

(B) by adding at the end the following:

“(22) The term ‘small donor multicandidate political committee’ means a committee, club, association, or other group of persons, or a separate segregated fund established under section 316(b), that—

“(A) limits to \$100 the amount of contributions that the committee will accept from any individual in a calendar year; and

“(B) makes contributions to more than 1 candidate in a calendar year.”.

(2) Section 316(b)(2) of FECA (2 U.S.C. 441b(b)(2)) is amended—

(A) by inserting “or” after “subject.”;

(B) by striking “and their families; and” and inserting “and their families.”; and

(C) by striking subparagraph (C).

(c) CANDIDATE’S COMMITTEES.—(1) Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

“(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee that is established, financed, maintained, or controlled, directly or indirectly, by any candidate or Federal office-

holder shall be deemed to be an authorized committee of such candidate or officeholder.”.

(2) Section 302(e)(3) of FECA (2 U.S.C. 432) is amended to read as follows:

“(3) No political committee that supports, or has supported, more than one candidate may be designated as an authorized committee, except that—

“(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate’s principal campaign committee, if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

“(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee.”.

BROWN AMENDMENTS NOS. 4108–4109

(Ordered to lie on the table.)

Mr. BROWN submitted two amendments intended to be proposed by him to the bill, S. 1219, supra; as follows:

AMENDMENT NO. 4108

At the appropriate place in the bill, insert the following:

“At 2 U.S.C. §441b(b)(2) after ‘in connection with any election to any of the offices referred to in this section’, insert: ‘including activities and communications advocating or opposing any issues clearly identified with a candidate or party.’”

AMENDMENT NO. 4109

Insert the following new paragraph in Section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441(b)):

(8)(A) It is unlawful for any labor organization as defined in Section 441b(b)(1) of title 2 to use union dues or anything of value required for membership in such organization, for activities described in subparagraphs (A) and (B) of paragraph (b)(2), without each member’s express written consent. Such labor organization shall retain records of such permission for a period of at least ten years.

(B) Activities include, but are not limited to, any communication supporting or opposing any clearly identified candidate for public elective office or supporting or opposing any issues clearly identified with or closely connected to a candidate or political party.

(C) Any person who knowingly and wilfully violates subsection (A) shall be fined in an amount of \$5,000 per violation not to exceed a total of \$100,000.

MOSELEY-BRAUN AMENDMENT NO. 4110

(Ordered to lie on the table.)

Ms. MOSELEY-BRAUN submitted an amendment intended to be proposed by her to the bill, S. 1219, supra; as follows:

At the appropriate place in title III, insert the following:

**SEC. 3 . LIMITATION ON THE AMOUNT OF PERSONAL FUNDS THAT A CANDIDATE FOR FEDERAL OFFICE MAY EXPEND DURING AN ELECTION CYCLE.**

Title III of FECA (2 U.S.C. 431 et seq.) (as amended by section 212(d) is amended by adding at the end the following:

**“SEC. 326. LIMITATION ON THE AMOUNT OF PERSONAL FUNDS THAT A CANDIDATE FOR FEDERAL OFFICE MAY EXPEND DURING AN ELECTION CYCLE.**

“(A) IN GENERAL.—The aggregate amount of expenditures that may be made during an

election cycle by a candidate or the candidate's authorized committees from sources described in subsection (a) shall not exceed \$1,000,000.

"(b) SOURCES.—A source is described in this subsection if the source is—

"(1) personal funds of the candidate and members of the candidate's immediate family; or

"(2) personal loans incurred by the candidate and members of the candidate's immediate family."

#### THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

##### MOSELEY-BRAUN (AND LOTT) AMENDMENT NO. 4111

(Ordered to lie on the table.)

Ms. MOSELEY-BRAUN (for herself and Mr. LOTT) submitted an amendment intended to be proposed by them to the bill (S. 1745) to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

##### SEC. 223. COMPUTER-ASSISTED EDUCATION AND TRAINING.

Of the amount authorized to be appropriated under section 201(4), \$10,000,000 shall be available under program element 0601103D for computer-assisted education and training at the Defense Advanced Research Projects Agency.

##### FORD (AND OTHERS) AMENDMENT NO. 4112

(Ordered to lie on the table.)

Mr. FORD (for himself, Mrs. BOXER, Mr. CONRAD, Mr. CRAIG, Mr. DASCHLE, Mr. DORGAN, Mr. EXON, Mr. GORTON, Mr. HATCH, Mr. INHOFE, Mr. LEVIN, Mr. LOTT, Mrs. MURRAY, Mr. PRESSLER, Mr. ROBB, and Mr. WARNER) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

At the end of subtitle F of title X, insert the following:

##### SEC. TECHNICAL AMENDMENT.

Paragraph (3) of section 8003(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended by striking "2000 and such number equals or exceeds 15" and inserting "1000 or such number equals or exceeds 10".

##### FORD (AND BROWN) AMENDMENT NO. 4113

(Ordered to lie on the table.)

Mr. FORD (for himself and Mr. BROWN) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

At the end of subtitle B of title I, add the following:

##### SEC. 113. DEMILITARIZATION OF ASSEMBLED CHEMICAL MUNITIONS.

(a) PILOT PROGRAM.—The Secretary of Defense shall conduct a pilot program to iden-

tify and demonstrate feasible alternatives to incineration for the demilitarization of assembled chemical munitions.

(b) PROGRAM REQUIREMENTS.—(1) The Secretary of Defense shall designate an executive agent to carry out the pilot program required to be conducted under subsection (a).

(2) The executive agent shall—

(A) be an officer or executive of the United States Government;

(B) be accountable to the Secretary of Defense; and

(C) not be, or have been, in direct or immediate control of the chemical weapon stockpile demilitarization program established by 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) or the alternative disposal process program carried out under sections 174 and 175 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 50 U.S.C. 1521 note).

(3) The executive agent may—

(A) carry out the pilot program directly;

(B) enter into a contract with a private entity to carry out the pilot program; or

(C) transfer funds to another department or agency of the Federal Government in order to provide for such department or agency to carry out the pilot program.

(4) A department or agency that carries out the pilot program under paragraph (3)(C) may not, for purposes of the pilot program, contract with or competitively select the organization within the Army that exercises direct or immediate management control over either program referred to in paragraph (2)(C).

(5) The pilot program shall terminate not later than September 30, 2000.

(c) ANNUAL REPORT.—Not later than December 15 of each year in which the Secretary carries out the pilot program, the Secretary shall submit to Congress a report on the activities under the pilot program during the preceding fiscal year.

(d) EVALUATION AND REPORT.—Not later than December 31, 2000, the Secretary of Defense shall—

(1) evaluate each demilitarization alternative identified and demonstrated under the pilot program to determine whether that alternative—

(A) is as safe and cost efficient as incineration for disposing of assembled chemical munitions; and

(B) meets the requirements of section 1412 of the Department of Defense Authorization Act, 1986; and

(2) submit to Congress a report containing the evaluation.

(e) LIMITATION ON LONG LEAD CONTRACTING.—(1) Notwithstanding any other provision of law and except as provided in paragraph (2), the Secretary may not enter into any contract for the purchase of long lead materials for the construction of an incinerator at any site in Kentucky or Colorado until the executive agent designated for the pilot program submits an application for such permits as are necessary under the law of the State of Kentucky, or the law of the State of Colorado, as the case may be, for the construction at that site of a plant for demilitarization of assembled chemical munitions by means of an alternative to incineration.

(2) The Secretary may enter into a contract described in paragraph (1) beginning 60 days after the date on which the Secretary submits to Congress the certification of the executive agent that there exists no alternative technology as safe and cost efficient as incineration for demilitarizing chemical munitions at non-bulk sites.

(f) ASSEMBLED CHEMICAL MUNITION DEFINED.—For the purpose of this section, the term "assembled chemical munition" means an entire chemical munition, including com-

ponent parts, chemical agent, propellant, and explosive.

(g) FUNDING.—(1) Of the amount authorized to be appropriated under section 107, \$50,000,000 shall be available for the pilot program under this section. Such funds may not be derived from funds to be made available under the chemical demilitarization program for the alternative technologies research and development program at bulk sites.

(2) Funds made available for the pilot program pursuant to paragraph (1) shall be made available to the executive agent for use for the pilot program.

(3) No funds authorized to be appropriated by section 107 may be obligated until funds are made available to the executive agent under paragraph (2).

##### FORD AMENDMENT NO. 4114

(Ordered to lie on the table.)

Mr. FORD submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

In the table in section 2101(a), strike out the item relating to Fort Campbell, Kentucky, and insert in lieu thereof the following:

Kentucky .....	Fort Campbell.	\$67,600,000
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Strike out the amount set forth as the total amount at the end of the table in section 2101(a), and insert in lieu thereof "\$363,050,000".

In section 2104(a), in the matter preceding paragraph (1), strike out "\$1,894,297,000" and insert in lieu thereof "\$1,900,897,000".

In section 2104(a)(1), strike out "\$356,450,000" and insert in lieu thereof "\$363,050,000".

In section 2502, strike out "\$197,000,000" and insert in lieu thereof "\$179,600,000".

In section 2601(1)(A), strike out "\$79,628,000" and insert in lieu thereof "\$90,428,000".

#### NOTICES OF HEARINGS

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. STEVENS, Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold hearings regarding security in cyberspace.

This hearing will take place on Tuesday, June 25, 1996, in room 342 of the Dirksen Senate Office Building. For further information, please contact Daniel S. Gelber of the subcommittee staff at 224-9157.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI, Mr. President, I would like to announce for the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Wednesday, July 10, 1996, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 1877, the Environmental Improvement Timber Contract Extension Act, a bill to ensure the proper stewardship of publicly owned assets in the Tongass National Forest in the State of Alaska, a fair return to the United States for public