

## COMMITTEE ON FOREIGN RELATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 5, 2001 at 4:15 p.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, April 5, 2001 at 10:00 a.m. for a hearing regarding the State of the Presidential Appointments Process.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON INDIAN AFFAIRS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, April 5, 2001 at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a Hearing to receive the goals and priorities of the United South and Eastern Tribes (USET) for the 107th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR, WETLANDS,  
PRIVATE PROPERTY AND NUCLEAR SAFETY

Mr. NICKLES. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety be authorized to meet on Thursday, April 5 at 9:00 a.m. to receive testimony on the interaction between our environmental regulations and our nation's energy policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Frank Rodriguez, Traci Gleason, legislative fellows, and Todd Smith, a law clerk from the Democratic staff of the Senate Finance Committee, be granted access to the Senate floor for the duration of the debate on H.R. 83.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, on behalf of Senator FRIST, I ask unanimous consent that Dr. Ken Bernard, a fellow in Senator FRIST's office on loan from the Public Health Service, be granted privileges of the floor during the duration of the debate on the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIPARTISAN CAMPAIGN REFORM  
ACT OF 2001

On April 2, 2001, the Senate amended and passed S. 27, as follows:

S. 27

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

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

(a) SHORT TITLE.—This Act may be cited as the "Bipartisan Campaign Reform Act of 2001".

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

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF SPECIAL  
INTEREST INFLUENCE

Sec. 101. Soft money of political parties.

Sec. 102. Increased contribution limits for State committees of political parties and aggregate contribution limit for individuals.

Sec. 103. Reporting requirements.

TITLE II—NONCANDIDATE CAMPAIGN  
EXPENDITURES

Subtitle A—Electioneering Communications

Sec. 201. Disclosure of electioneering communications.

Sec. 202. Coordinated communications as contributions.

Sec. 203. Prohibition of corporate and labor disbursements for electioneering communications.

Sec. 204. Rules relating to certain targeted electioneering communications.

Subtitle B—Independent and Coordinated  
Expenditures

Sec. 211. Definition of independent expenditure.

Sec. 212. Reporting requirements for certain independent expenditures.

Sec. 213. Independent versus coordinated expenditures by party.

Sec. 214. Coordination with candidates or political parties.

## TITLE III—MISCELLANEOUS

Sec. 301. Use of contributed amounts for certain purposes.

Sec. 302. Prohibition of fundraising on Federal property.

Sec. 303. Strengthening foreign money ban.

Sec. 304. Modification of individual contribution limits in response to expenditures from personal funds.

Sec. 305. Television media rates.

Sec. 306. Limitation on availability of lowest unit charge for Federal candidates attacking opposition.

Sec. 307. Software for filing reports and prompt disclosure of contributions.

Sec. 308. Modification of contribution limits.

Sec. 309. Television media rates for national parties conditioned on adherence to existing coordinated spending limits.

Sec. 310. Donations to Presidential Inaugural Committee.

Sec. 311. Prohibition on fraudulent solicitation of funds.

Sec. 312. Study and report on clean money clean elections laws.

Sec. 313. Clarity standards for identification of sponsors of election-related advertising.

Sec. 314. Increase in penalties.

Sec. 315. Statute of limitations.

Sec. 316. Sentencing guidelines.

Sec. 317. Increase in penalties imposed for violations of conduit contribution ban.

Sec. 318. Restriction on increased contribution limits by taking into account candidate's available funds.

TITLE IV—SEVERABILITY; EFFECTIVE  
DATE

Sec. 401. Severability.

Sec. 402. Effective date.

Sec. 403. Expedited review.

TITLE V—ADDITIONAL DISCLOSURE  
PROVISIONS

Sec. 501. Internet access to records.

Sec. 502. Maintenance of website of election reports.

Sec. 503. Additional monthly and quarterly disclosure reports.

Sec. 504. Public access to broadcasting records.

TITLE I—REDUCTION OF SPECIAL  
INTEREST INFLUENCE

## SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

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

## "SEC. 323. SOFT MONEY OF POLITICAL PARTIES.

"(a) NATIONAL COMMITTEES.—

"(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

"(2) APPLICABILITY.—The prohibition established by paragraph (1) applies to any such national committee, any officer or agent of such a national committee, and any entity that is directly or indirectly established, financed, maintained, or controlled by such a national committee.

"(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

"(1) IN GENERAL.—(A) Except as provided in paragraph (2), an amount that is expended or disbursed for Federal election activity by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity), or by an entity directly or indirectly established, financed, maintained, or controlled by or acting on behalf of 1 or more candidates for State or local office, or individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

"(B) Nothing in this subsection shall prevent the authorized campaign committee of a candidate for State or local office from raising and spending funds permitted under applicable State law other than for a Federal election activity that refers to a clearly identified candidate for election to Federal office.

"(2) APPLICABILITY.—

"(A) IN GENERAL.—Notwithstanding clause (i) or (ii) of section 301(20)(A), and subject to subparagraph (B), paragraph (1) shall not apply to any amount expended or disbursed by a State, district, or local committee of a political party for an activity described in either such clause to the extent the expenditures or disbursements for such activity are allocated under regulations prescribed by the Commission as expenditures or disbursements that may be paid from funds not subject to the limitations, prohibitions, and reporting requirements of this Act.

"(B) CONDITIONS.—Subparagraph (A) shall only apply if—

"(i) the activity does not refer to a clearly identified candidate for Federal office; and

"(ii) the expenditures or disbursements described in subparagraph (A) are paid directly

or indirectly from amounts donated in accordance with State law, except that no person (and any person established, financed, maintained, or controlled by such person) may donate more than \$10,000 to a State, district or local committee of a political party in a calendar year to be used for the expenditures or disbursements described in subparagraph (A).

“(c) FUNDRAISING COSTS.—An amount spent by a person described in subsection (a) or (b) to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

“(d) TAX-EXEMPT ORGANIZATIONS.—A national, State, district, or local committee of a political party (including a national congressional campaign committee of a political party), an entity that is directly or indirectly established, financed, maintained, or controlled by any such national, State, district, or local committee or its agent, and an officer or agent acting on behalf of any such party committee or entity, shall not solicit any funds for, or make or direct any donations to—

“(1) an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application for determination of tax exempt status under such section); or

“(2) an organization described in section 527 of such Code (other than a political committee).

“(e) CANDIDATES.—

“(1) IN GENERAL.—A candidate, individual holding Federal office, agent of a candidate or an individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 or more candidates or individuals holding Federal office, shall not—

“(A) solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act; or

“(B) solicit, receive, direct, transfer, or spend funds in connection with any election other than an election for Federal office or disburse funds in connection with such an election unless the funds—

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

“(ii) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.

“(2) STATE LAW.—Paragraph (1) does not apply to the solicitation, receipt, or spending of funds by an individual who is a candidate for a State or local office in connection with such election for State or local office if the solicitation, receipt, or spending of funds is permitted under State law for any activity other than for a Federal election activity that refers to a clearly identified candidate for election to Federal office.

“(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.”

(b) DEFINITIONS.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end thereof the following:

“(20) FEDERAL ELECTION ACTIVITY.—

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

“(i) voter registration activity during the period that begins on the date that is 120 days before the date a regularly scheduled Federal election is held and ends on the date of the election;

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

“(iii) a public communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

“(iv) services provided during any month by an employee of a State, district, or local committee of a political party who spends more than 25 percent of that individual’s compensated time during that month on activities in connection with a Federal election.

“(B) ALTERNATE DEFINITION IF SUBPARAGRAPH (A)(iii) HELD UNCONSTITUTIONAL.—If clause (iii) of subparagraph (A) is held to be unconstitutional in a final decision by a court of competent jurisdiction, then in lieu of the provisions of that clause, subparagraph (A) shall be applied as if it contained a clause (iii) that read ‘a broadcast, cable, or satellite communication that—

“(i) promotes or supports a candidate for Federal office, or attacks or opposes a candidate for Federal office, without regard to whether the communication advocates a vote for or against a candidate; and

“(ii) is suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate.’

“(C) EXCLUDED ACTIVITY.—The term ‘Federal election activity’ does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

“(i) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

“(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

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

“(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office; and

“(v) the cost of constructing or purchasing an office facility or equipment for a State, district, or local committee.

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

“(22) PUBLIC COMMUNICATION.—The term ‘public communication’ means a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising.

“(23) MASS MAILING.—The term ‘mass mailing’ means a mailing of more than 500 pieces of mail matter of an identical or substantially similar nature within any 30-day period.

“(24) TELEPHONE BANK.—The term ‘telephone bank’ means more than 500 telephone calls of an identical or substantially similar nature within any 30-day period.”

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

(a) CONTRIBUTION LIMIT FOR STATE COMMITTEES OF POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

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

(2) in subparagraph (C)—

(A) by inserting “(other than a committee described in subparagraph (D))” after “committee”; and

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

(3) by adding at the end the following:

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

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

**SEC. 103. REPORTING REQUIREMENTS.**

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following:

“(e) POLITICAL COMMITTEES.—

“(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

“(2) OTHER POLITICAL COMMITTEES TO WHICH SECTION 323 APPLIES.—In addition to any other reporting requirements applicable under this Act, a political committee (not described in paragraph (1)) to which section 323(b)(1)(A) applies shall report all receipts and disbursements made for activities described in section 301(20)(A), other than activities described in section 323(b)(1)(B).

“(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from 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 required in paragraphs (3)(A), (5), and (6) of subsection (b).

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

(b) BUILDING FUND EXCEPTION TO THE DEFINITION OF CONTRIBUTION.—Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking clause (viii); and

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

**TITLE II—NONCANDIDATE CAMPAIGN EXPENDITURES**

**Subtitle A—Electioneering Communications**  
**SEC. 201. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.**

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended

by section 103, is amended by adding at the end the following new subsection:

**“(f) ADDITIONAL STATEMENTS ON ELECTIONEERING COMMUNICATIONS.—**

**“(1) STATEMENT REQUIRED.—**Every person who makes a disbursement for electioneering communications in an aggregate amount in excess of \$10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

**“(2) CONTENTS OF STATEMENT.—**Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

**“(A)** The identification of the person making the disbursement, of any entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

**“(B)** The principal place of business of the person making the disbursement, if not an individual.

**“(C)** The amount of each disbursement of more than \$200 during the period covered by the statement and the identification of the person to whom the disbursement was made.

**“(D)** The elections to which the electioneering communications pertain and the names (if known) of the candidates identified or to be identified.

**“(E)** If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date. Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than electioneering communications.

**“(F)** If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to the organization during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

**“(3) ELECTIONEERING COMMUNICATION.—**For purposes of this subsection—

**“(A)(i) IN GENERAL.—**The term ‘electioneering communication’ means any broadcast, cable, or satellite communication which—

**“(I)** refers to a clearly identified candidate for Federal office;

**“(II)** is made within—

**“(aa)** 60 days before a general, special, or runoff election for such Federal office; or

**“(bb)** 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate, for such Federal office; and

**“(III)** is made to an audience that includes members of the electorate for such election, convention, or caucus; and

**“(ii)** if clause (i) of paragraph (3)(A) is held to be constitutionally insufficient by final judicial decision to support the regulation provided herein, then the term ‘electioneering communication’ means any broadcast, cable, or satellite communication which promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote

for or against a candidate) and which also is suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate. Nothing in this subsection shall be construed to affect the interpretation or application of section 100.22(b) of title 11, Code of Federal Regulations.

**“(B) EXCEPTIONS.—**The term ‘electioneering communication’ does not include—

**“(i)** a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

**“(ii)** a communication which constitutes an expenditure or an independent expenditure under this Act.

**“(4) DISCLOSURE DATE.—**For purposes of this subsection, the term ‘disclosure date’ means—

**“(A)** the first date during any calendar year by which a person has made disbursements for electioneering communications aggregating in excess of \$10,000; and

**“(B)** any other date during such calendar year by which a person has made disbursements for electioneering communications aggregating in excess of \$10,000 since the most recent disclosure date for such calendar year.

**“(5) CONTRACTS TO DISBURSE.—**For purposes of this subsection, a person shall be treated as having made a disbursement if the person has executed a contract to make the disbursement.

**“(6) COORDINATION WITH OTHER REQUIREMENTS.—**Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.”

**SEC. 202. COORDINATED COMMUNICATIONS AS CONTRIBUTIONS.**

Section 315(a)(7) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

**“(C) if—**

**“(i)** any person makes, or contracts to make, any disbursement for any electioneering communication (within the meaning of section 304(f)(3)); and

**“(ii)** such disbursement is coordinated with a candidate or an authorized committee of such candidate, a Federal, State, or local political party or committee thereof, or an agent or official of any such candidate, party, or committee;

such disbursement or contracting shall be treated as a contribution to the candidate supported by the electioneering communication or that candidate’s party and as an expenditure by that candidate or that candidate’s party; and”

**SEC. 203. PROHIBITION OF CORPORATE AND LABOR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.**

(a) **IN GENERAL.—**Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by inserting “or for any applicable electioneering communication” before “, but shall not include”.

(b) **APPLICABLE ELECTIONEERING COMMUNICATION.—**Section 316 of such Act is amended by adding at the end the following:

**“(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—**

**“(1) APPLICABLE ELECTIONEERING COMMUNICATION.—**For purposes of this section, the term ‘applicable electioneering communication’ means an electioneering communica-

tion (within the meaning of section 304(f)(3)) which is made by any entity described in subsection (a) of this section or by any other person using funds donated by an entity described in subsection (a) of this section.

**“(2) EXCEPTION.—**Notwithstanding paragraph (1), the term ‘applicable electioneering communication’ does not include a communication by an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 or a political organization (as defined in section 527(e)(1) of such Code) made under section 304(f)(2) (E) or (F) of this Act if the communication is paid for exclusively by funds provided directly by individuals who are United States citizens or lawfully admitted for permanent residence as defined in section 1101(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(2)). For purposes of the preceding sentence, the term ‘provided directly by individuals’ does not include funds the source of which is an entity described in subsection (a) of this section.

**“(3) SPECIAL OPERATING RULES.—**For purposes of paragraph (1), the following rules shall apply:

**“(A)** An electioneering communication shall be treated as made by an entity described in subsection (a) if—

**“(i)** an entity described in subsection (a) directly or indirectly disburses any amount for any of the costs of the communication; or

**“(ii)** any amount is disbursed for the communication by a corporation or labor organization or a State or local political party or committee thereof that receives anything of value from an entity described in subsection (a), except that this clause shall not apply to any communication the costs of which are defrayed entirely out of a segregated account to which only individuals can contribute, as described in section 304(f)(2)(E).

**“(B)** A section 501(c)(4) organization that derives amounts from business activities or receives funds from any entity described in subsection (a) shall be considered to have paid for any communication out of such amounts unless such organization paid for the communication out of a segregated account to which only individuals can contribute, as described in section 304(f)(2)(E).

**“(4) DEFINITIONS AND RULES.—**For purposes of this subsection—

**“(A)** the term ‘section 501(c)(4) organization’ means—

**“(i)** an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; or

**“(ii)** an organization which has submitted an application to the Internal Revenue Service for determination of its status as an organization described in clause (i); and

**“(B)** a person shall be treated as having made a disbursement if the person has executed a contract to make the disbursement.

**“(5) COORDINATION WITH INTERNAL REVENUE CODE.—**Nothing in this subsection shall be construed to authorize an organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 to carry out any activity which is prohibited under such Code.”

**SEC. 204. RULES RELATING TO CERTAIN TARGETED ELECTIONEERING COMMUNICATIONS.**

Section 316(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b), as added by section 203, is amended by adding at the end the following:

**“(6) SPECIAL RULES FOR TARGETED COMMUNICATIONS.—**

“(A) EXCEPTION DOES NOT APPLY.—Paragraph (2) shall not apply in the case of a targeted communication that is made by an organization described in such paragraph.

“(B) TARGETED COMMUNICATION.—For purposes of subparagraph (A), the term ‘targeted communication’ means an electioneering communication (as defined in section 304(f)(3)) that is distributed from a television or radio broadcast station or provider of cable or satellite television service whose audience consists primarily of residents of the State for which the clearly identified candidate is seeking office.”.

#### Subtitle B—Independent and Coordinated Expenditures

##### SEC. 211. DEFINITION OF INDEPENDENT EXPENDITURE.

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

“(17) INDEPENDENT EXPENDITURE.—The term ‘independent expenditure’ means an expenditure by a person—

“(A) expressly advocating the election or defeat of a clearly identified candidate; and

“(B) that is not a coordinated activity with such candidate or such candidate’s agent or a person who has engaged in coordinated activity with such candidate or such candidate’s agent.”.

##### SEC. 212. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 201) is amended—

(1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C); and

(2) by adding at the end the following:

“(g) TIME FOR REPORTING CERTAIN EXPENDITURES.—

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

“(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$1,000 with respect to the same election as that to which the initial report relates.

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

“(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating \$10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours.

“(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional \$10,000 with respect to the same election as that to which the initial report relates.

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

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

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

##### SEC. 213. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act (2 U.S.C. 414a(d)) is amended—

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

(2) by adding at the end the following:

“(4) INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.—

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

“(B) CERTIFICATION.—Before making a coordinated expenditure under this subsection with respect to a candidate, a committee of a political party shall file with the Commission a certification, signed by the treasurer of the committee, that the committee, on or after the date described in subparagraph (A), has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

“(C) APPLICATION.—For purposes of this paragraph, all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.

“(D) TRANSFERS.—A committee of a political party that submits a certification under subparagraph (B) with respect to a candidate shall not, during an election cycle, transfer any funds to, assign authority to make coordinated expenditures under this subsection to, or receive a transfer of funds from, a committee of the political party that has made or intends to make an independent expenditure with respect to the candidate.”.

##### SEC. 214. COORDINATION WITH CANDIDATES OR POLITICAL PARTIES.

(a) IN GENERAL.—

(1) COORDINATED EXPENDITURE OR DISBURSEMENT TREATED AS CONTRIBUTION.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) by striking “or” at the end of subparagraph (A)(i);

(B) by striking “purpose.” in subparagraph (A)(ii) and inserting “purpose;”;

(C) by adding at the end of subparagraph (A) the following:

“(iii) any coordinated expenditure or other disbursement made by any person in connection with a candidate’s election, regardless of whether the expenditure or disbursement is for a communication that contains express advocacy; or

“(iv) any expenditure or other disbursement made in coordination with a national committee, State committee, or other political committee of a political party by a person (other than a candidate or a candidate’s authorized committee) in connection with an election, regardless of whether the expenditure or disbursement is for a communication that contains express advocacy.”.

(2) CONFORMING AMENDMENT.—Section 315(a)(7) of the Federal Election Campaign Act of 1971 (2 U.S.C. 414a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

“(B) a coordinated expenditure or disbursement described in—

“(i) section 301(8)(C) shall be considered to be a contribution to the candidate or an expenditure by the candidate, respectively; and

“(ii) section 301(8)(D) shall be considered to be a contribution to, or an expenditure by,

the political party committee, respectively; and”.

(b) DEFINITION OF COORDINATION.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)), as amended by subsection (a), is amended by adding at the end the following:

“(C) For purposes of subparagraph (A)(iii), the term ‘coordinated expenditure or other disbursement’ means a payment made in concert or cooperation with, at the request or suggestion of, or pursuant to any general or particular understanding with, such candidate, the candidate’s authorized political committee, or their agents, or a political party committee or its agents.”.

(c) REGULATIONS BY THE FEDERAL ELECTION COMMISSION.—(1) Within 90 days of the effective date of this Act, the Federal Election Commission shall promulgate new regulations to enforce the statutory standard set by this provision. The regulation shall not require collaboration or agreement to establish coordination. In addition to any subject determined by the Commission, the regulations shall address—

(A) payments for the republication of campaign materials;

(B) payments for the use of a common vendor;

(C) payments for communications directed or made by persons who previously served as an employee of a candidate or a political party;

(D) payments for communications made by a person after substantial discussion about the communication with a candidate or a political party; and

(E) the impact of coordinating internal communications by any person to its restricted class has on any subsequent “Federal election activity” as defined in section 301 of the Federal Election Campaign Act of 1971.

(2) The regulations on coordination adopted by the Federal Election Commission and published in the Federal Register at page 76138 of volume 65, Federal Register, on December 6, 2000, are repealed as of 90 days after the effective date of this Act.

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

#### TITLE III—MISCELLANEOUS

##### SEC. 301. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

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

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

“(a) PERMITTED USES.—A contribution accepted by a candidate, and any other donation received by an individual as support for activities of the individual as a holder of Federal office, may be used by the candidate or individual—

“(1) for otherwise authorized expenditures in connection with the campaign for Federal office of the candidate or individual;

“(2) for ordinary and necessary expenses incurred in connection with duties of the individual as a holder of Federal office;

“(3) for contributions to an organization described in section 170(c) of the Internal Revenue Code of 1986; or

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

“(b) PROHIBITED USE.—

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

“(2) CONVERSION.—For the purposes of paragraph (1), a contribution or donation shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate’s election campaign or individual’s duties as a holder of Federal office, including—

“(A) a home mortgage, rent, or utility payment;

“(B) a clothing purchase;

“(C) a noncampaign-related automobile expense;

“(D) a country club membership;

“(E) a vacation or other noncampaign-related trip;

“(F) a household food item;

“(G) a tuition payment;

“(H) admission to a sporting event, concert, theater, or other form of entertainment not associated with an election campaign; and

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

### SEC. 302. PROHIBITION OF FUNDRAISING ON FEDERAL PROPERTY.

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

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

“(a) PROHIBITION.—

“(1) IN GENERAL.—It shall be unlawful for any person to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election from a person who is located in a room or building occupied in the discharge of official duties by an officer or employee of the United States. It shall be unlawful for an individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election, while in any room or building occupied in the discharge of official duties by an officer or employee of the United States, from any person.

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

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

### SEC. 303. STRENGTHENING FOREIGN MONEY BAN.

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

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

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

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

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

“(A) a contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or donation, in connection with a Federal, State, or local election; or

“(B) a contribution or donation to a committee of a political party; or

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

### SEC. 304. MODIFICATION OF INDIVIDUAL CONTRIBUTION LIMITS IN RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.

(a) INCREASED LIMITS FOR INDIVIDUALS.—

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

(A) in subsection (a)(1), by striking “No person” and inserting “Except as provided in subsection (i), no person”; and

(B) by adding at the end the following:

“(i) INCREASED LIMIT TO ALLOW RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.—

“(1) INCREASE.—

“(A) IN GENERAL.—Subject to paragraph (2), if the opposition personal funds amount with respect to a candidate for election to the office of Senator exceeds the threshold amount, the limit under subsection (a)(1)(A) (in this subsection referred to as the ‘applicable limit’) with respect to that candidate shall be the increased limit.

“(B) THRESHOLD AMOUNT.—

“(i) STATE-BY-STATE COMPETITIVE AND FAIR CAMPAIGN FORMULA.—In this subsection, the threshold amount with respect to an election cycle of a candidate described in subparagraph (A) is an amount equal to the sum of—

“(I) \$150,000; and

“(II) \$0.04 multiplied by the voting age population.

“(ii) VOTING AGE POPULATION.—In this subparagraph, the term ‘voting age population’ means in the case of a candidate for the office of Senator, the voting age population of the State of the candidate (as certified under section 315(e)).

“(C) INCREASED LIMIT.—Except as provided in clause (ii), for purposes of subparagraph (A), if the opposition personal funds amount is over—

“(i) 2 times the threshold amount, but not over 4 times that amount—

“(I) the increased limit shall be 3 times the applicable limit; and

“(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution;

“(ii) 4 times the threshold amount, but not over 10 times that amount—

“(I) the increased limit shall be 6 times the applicable limit; and

“(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution; and

“(iii) 10 times the threshold amount—

“(I) the increased limit shall be 6 times the applicable limit;

“(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution; and

“(III) the limits under subsection (d) with respect to any expenditure by a State or national committee of a political party shall not apply.

“(D) OPPOSITION PERSONAL FUNDS AMOUNT.—The opposition personal funds amount is an amount equal to the excess (if any) of—

“(i) the greatest aggregate amount of expenditures from personal funds (as defined in

section 304(a)(6)(B)) that an opposing candidate in the same election makes; over

“(ii) the aggregate amount of expenditures from personal funds made by the candidate with respect to the election.

(2) TIME TO ACCEPT CONTRIBUTIONS UNDER INCREASED LIMIT.—

“(A) IN GENERAL.—Subject to subparagraph (B), a candidate and the candidate’s authorized committee shall not accept any contribution, and a party committee shall not make any expenditure, under the increased limit under paragraph (1)—

“(i) until the candidate has received notification of the opposition personal funds amount under section 304(a)(6)(B); and

“(ii) to the extent that such contribution, when added to the aggregate amount of contributions previously accepted and party expenditures previously made under the increased limits under this subsection for the election cycle, exceeds 110 percent of the opposition personal funds amount.

“(B) EFFECT OF WITHDRAWAL OF AN OPPOSING CANDIDATE.—A candidate and a candidate’s authorized committee shall not accept any contribution and a party shall not make any expenditure under the increased limit after the date on which an opposing candidate ceases to be a candidate to the extent that the amount of such increased limit is attributable to such an opposing candidate.

“(3) DISPOSAL OF EXCESS CONTRIBUTIONS.—

“(A) IN GENERAL.—The aggregate amount of contributions accepted by a candidate or a candidate’s authorized committee under the increased limit under paragraph (1) and not otherwise expended in connection with the election with respect to which such contributions relate shall, not later than 50 days after the date of such election, be used in the manner described in subparagraph (B).

“(B) RETURN TO CONTRIBUTORS.—A candidate or a candidate’s authorized committee shall return the excess contribution to the person who made the contribution.

“(j) LIMITATION ON REPAYMENT OF PERSONAL LOANS.—Any candidate who incurs personal loans made after the date of enactment of the Bipartisan Campaign Reform Act of 2001 in connection with the candidate’s campaign for election shall not repay (directly or indirectly), to the extent such loans exceed \$250,000, such loans from any contributions made to such candidate or any authorized committee of such candidate after the date of such election.”.

(b) NOTIFICATION OF EXPENDITURES FROM PERSONAL FUNDS.—Section 304(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (E); and

(2) by inserting after subparagraph (A) the following:

“(B) NOTIFICATION OF EXPENDITURE FROM PERSONAL FUNDS.—

“(i) DEFINITION OF EXPENDITURE FROM PERSONAL FUNDS.—In this subparagraph, the term ‘expenditure from personal funds’ means—

“(I) an expenditure made by a candidate using personal funds; and

“(II) a contribution or loan made by a candidate using personal funds or a loan secured using such funds to the candidate’s authorized committee.

“(ii) DECLARATION OF INTENT.—Not later than the date that is 15 days after the date on which an individual becomes a candidate for the office of Senator, the candidate shall file a declaration stating the total amount of expenditures from personal funds that the

candidate intends to make, or to obligate to make, with respect to the election will exceed the State-by-State competitive and fair campaign formula with—

“(I) the Commission; and

“(II) each candidate in the same election.

“(iii) INITIAL NOTIFICATION.—Not later than 24 hours after a candidate described in clause (ii) makes or obligates to make an aggregate amount of expenditures from personal funds in excess of 2 times the threshold amount in connection with any election, the candidate shall file a notification with—

“(I) the Commission; and

“(II) each candidate in the same election.

“(iv) ADDITIONAL NOTIFICATION.—After a candidate files an initial notification under clause (iii), the candidate shall file an additional notification each time expenditures from personal funds are made or obligated to be made in an aggregate amount that exceed \$10,000 amount with—

“(I) the Commission; and

“(II) each candidate in the same election.

Such notification shall be filed not later than 24 hours after the expenditure is made.

“(v) CONTENTS.—A notification under clause (iii) or (iv) shall include—

“(I) the name of the candidate and the office sought by the candidate;

“(II) the date and amount of each expenditure; and

“(III) the total amount of expenditures from personal funds that the candidate has made, or obligated to make, with respect to an election as of the date of the expenditure that is the subject of the notification.

“(C) NOTIFICATION OF DISPOSAL OF EXCESS CONTRIBUTIONS.—In the next regularly scheduled report after the date of the election for which a candidate seeks nomination for election to, or election to, Federal office, the candidate or the candidate's authorized committee shall submit to the Commission a report indicating the source and amount of any excess contributions (as determined under paragraph (1) of section 315(i)) and the manner in which the candidate or the candidate's authorized committee used such funds.

“(D) ENFORCEMENT.—For provisions providing for the enforcement of the reporting requirements under this paragraph, see section 309.”

(c) DEFINITIONS.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

“(20) ELECTION CYCLE.—The term ‘election cycle’ means the period beginning on the day after the date of the most recent election for the specific office or seat that a candidate is seeking and ending on the date of the next election for that office or seat. For purposes of the preceding sentence, a primary election and a general election shall be considered to be separate elections.

“(21) PERSONAL FUNDS.—The term ‘personal funds’ means an amount that is derived from—

“(A) any asset that, under applicable State law, at the time the individual became a candidate, the candidate had legal right of access to or control over, and with respect to which the candidate had—

“(i) legal and rightful title; or

“(ii) an equitable interest;

“(B) income received during the current election cycle of the candidate, including—

“(i) a salary and other earned income from bona fide employment;

“(ii) dividends and proceeds from the sale of the candidate's stocks or other investments;

“(iii) bequests to the candidate;

“(iv) income from trusts established before the beginning of the election cycle;

“(v) income from trusts established by bequest after the beginning of the election cycle of which the candidate is the beneficiary;

“(vi) gifts of a personal nature that had been customarily received by the candidate prior to the beginning of the election cycle; and

“(vii) proceeds from lotteries and similar legal games of chance; and

“(C) a portion of assets that are jointly owned by the candidate and the candidate's spouse equal to the candidate's share of the asset under the instrument of conveyance or ownership, but if no specific share is indicated by an instrument of conveyance or ownership, the value of ½ of the property.”

#### SEC. 305. TELEVISION MEDIA RATES.

(a) LOWEST UNIT CHARGE.—Subsection (b) of section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) by striking “(b) The charges” and inserting the following:

“(b) CHARGES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the charges”;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

“(2) TELEVISION.—The charges made for the use of any television broadcast station, or by a provider of cable or satellite television service, to any person who is a legally qualified candidate for any public office in connection with the campaign of such candidate for nomination for election, or election, to such office shall not exceed the lowest charge of the station (at any time during the 365-day period preceding the date of the use) for the same amount of time for the same period.”

(b) RATE AVAILABLE FOR NATIONAL PARTIES.—Section 315(b)(2) of such Act (47 U.S.C. 315(b)(2)), as added by subsection (a)(3), is amended by inserting “, or by a national committee of a political party on behalf of such candidate in connection with such campaign,” after “such office”.

(c) PREEMPTION.—Section 315 of such Act (47 U.S.C. 315) is amended—

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

(2) by inserting after subsection (b) the following new subsection:

“(c) PREEMPTION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a licensee shall not preempt the use of a television broadcast station, or a provider of cable or satellite television service, by an eligible candidate or political committee of a political party 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 television broadcast station, or a provider of cable or satellite television service, is preempted because of circumstances beyond the control of the station, any candidate or party advertising spot scheduled to be broadcast during that program may also be preempted.”

(d) RANDOM AUDITS.—Section 315 of such Act (47 U.S.C. 315), as amended by subsection (c), is amended by inserting after subsection (c) the following new subsection:

“(d) RANDOM AUDITS.—

“(1) IN GENERAL.—During the 45-day period preceding a primary election and the 60-day period preceding a general election, the Com-

mission shall conduct random audits of designated market areas to ensure that each television broadcast station, and provider of cable or satellite television service, in those markets is allocating television broadcast advertising time in accordance with this section and section 312.

“(2) MARKETS.—The random audits conducted under paragraph (1) shall cover the following markets:

“(A) At least 6 of the top 50 largest designated market areas (as defined in section 122(j)(2)(C) of title 17, United States Code).

“(B) At least 3 of the 51–100 largest designated market areas (as so defined).

“(C) At least 3 of the 101–150 largest designated market areas (as so defined).

“(D) At least 3 of the 151–210 largest designated market areas (as so defined).

“(3) BROADCAST STATIONS.—Each random audit shall include each of the 3 largest television broadcast networks, 1 independent network, and 1 cable network.”

(e) DEFINITION OF BROADCASTING STATION.—Subsection (e) of section 315 of such Act (47 U.S.C. 315(e)), as redesignated by subsection (c)(1) of this section, is amended by inserting “, a television broadcast station, and a provider of cable or satellite television service” before the semicolon.

(f) STYLISTIC AMENDMENTS.—Section 315 of such Act (47 U.S.C. 315) is amended—

(1) in subsection (a), by inserting “IN GENERAL.—” before “If any”;

(2) in subsection (e), as redesignated by subsection (c)(1) of this section, by inserting “DEFINITIONS.—” before “For purposes”; and

(3) in subsection (f), as so redesignated, by inserting “REGULATIONS.—” before “The Commission”.

#### SEC. 306. LIMITATION ON AVAILABILITY OF LOWEST UNIT CHARGE FOR FEDERAL CANDIDATES ATTACKING OPPOSITION.

(a) IN GENERAL.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)), as amended by this Act, is amended by adding at the end the following:

“(3) CONTENT OF BROADCASTS.—

“(A) IN GENERAL.—In the case of a candidate for Federal office, such candidate shall not be entitled to receive the rate under paragraph (1)(A) or (2) for the use of any broadcasting station unless the candidate provides written certification to the broadcast station that the candidate (and any authorized committee of the candidate) shall not make any direct reference to another candidate for the same office, in any broadcast using the rights and conditions of access under this Act, unless such reference meets the requirements of subparagraph (C) or (D).

“(B) LIMITATION ON CHARGES.—If a candidate for Federal office (or any authorized committee of such candidate) makes a reference described in subparagraph (A) in any broadcast that does not meet the requirements of subparagraph (C) or (D), such candidate shall not be entitled to receive the rate under paragraph (1)(A) or (2) for such broadcast or any other broadcast during any portion of the 45-day and 60-day periods described in paragraph (1)(A), that occur on or after the date of such broadcast, for election to such office.

“(C) TELEVISION BROADCASTS.—A candidate meets the requirements of this subparagraph if, in the case of a television broadcast, at the end of such broadcast there appears simultaneously, for a period no less than 4 seconds—

“(i) a clearly identifiable photographic or similar image of the candidate; and

“(ii) a clearly readable printed statement, identifying the candidate and stating that the candidate has approved the broadcast and that the candidate’s authorized committee paid for the broadcast.

“(D) RADIO BROADCASTS.—A candidate meets the requirements of this subparagraph if, in the case of a radio broadcast, the broadcast includes a personal audio statement by the candidate that identifies the candidate, the office the candidate is seeking, and indicates that the candidate has approved the broadcast.

“(E) CERTIFICATION.—Certifications under this section shall be provided and certified as accurate by the candidate (or any authorized committee of the candidate) at the time of purchase.

“(F) DEFINITIONS.—For purposes of this paragraph, the terms ‘authorized committee’ and ‘Federal office’ have the meanings given such terms by section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).”.

(b) CONFORMING AMENDMENT.—Section 315(b)(1)(A) of the Communications Act of 1934 (47 U.S.C. 315(b)(1)(A)), as amended by this Act, is amended by inserting “subject to paragraph (3),” before “during the forty-five days”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to broadcasts made after the date of enactment of this Act.

**SEC. 307. SOFTWARE FOR FILING REPORTS AND PROMPT DISCLOSURE OF CONTRIBUTIONS.**

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

“(12) SOFTWARE FOR FILING OF REPORTS.—

“(A) IN GENERAL.—The Commission shall—

“(i) promulgate standards to be used by vendors to develop software that—

“(I) permits candidates to easily record information concerning receipts and disbursements required to be reported under this Act at the time of the receipt or disbursement;

“(II) allows the information recorded under subclause (I) to be transmitted immediately to the Commission; and

“(III) allows the Commission to post the information on the Internet immediately upon receipt; and

“(ii) make a copy of software that meets the standards promulgated under clause (i) available to each person required to file a designation, statement, or report in electronic form under this Act.

“(B) ADDITIONAL INFORMATION.—To the extent feasible, the Commission shall require vendors to include in the software developed under the standards under subparagraph (A) the ability for any person to file any designation, statement, or report required under this Act in electronic form.

“(C) REQUIRED USE.—Notwithstanding any provision of this Act relating to times for filing reports, each candidate for Federal office (or that candidate’s authorized committee) shall use software that meets the standards promulgated under this paragraph once such software is made available to such candidate.

“(D) REQUIRED POSTING.—The Commission shall, as soon as practicable, post on the Internet any information received under this paragraph.”.

**SEC. 308. MODIFICATION OF CONTRIBUTION LIMITS.**

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

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

(2) in subparagraph (B), by striking “\$20,000” and inserting “\$25,000”.

(b) INCREASE IN AGGREGATE INDIVIDUAL LIMIT.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)), as amended by section 102(b), is amended by striking “\$30,000” and inserting “\$37,500”.

(c) INCREASE IN SENATORIAL CAMPAIGN COMMITTEE LIMIT.—Section 315(h) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(h)) is amended by striking “\$17,500” and inserting “\$35,000”.

(d) INDEXING OF CONTRIBUTION LIMITS.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting “(A)” before “At the beginning”; and

(C) by adding at the end the following:

“(B) Except as provided in subparagraph (C), in any calendar year after 2002—

“(i) a limitation established by subsections (a)(1)(A), (a)(1)(B), (a)(3), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A);

“(ii) each amount so increased shall remain in effect for the calendar year; and

“(iii) if any amount after adjustment under clause (i) is not a multiple of \$100, such amount shall be rounded to the nearest multiple of \$100.

“(C) In the case of limitations under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h), increases shall only be made in odd-numbered years and such increases shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.”; and

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

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

“(ii) for purposes of subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) calendar year 2001”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after the date of enactment of this Act.

**SEC. 309. TELEVISION MEDIA RATES FOR NATIONAL PARTIES CONDITIONED ON ADHERENCE TO EXISTING COORDINATED SPENDING LIMITS.**

(a) AVAILABILITY OF TELEVISION MEDIA RATES.—Section 315(b)(2) of the Communications Act of 1934 (47 U.S.C. 315(b)(2)), as amended by this Act, is amended—

(1) by striking “TELEVISION.—The charges” and inserting “TELEVISION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the charges”; and

(2) by adding at the end the following:

“(B) LIMITATIONS ON AVAILABILITY FOR NATIONAL COMMITTEES OF POLITICAL PARTIES.—

“(i) RATE CONDITIONED ON VOLUNTARY ADHERENCE TO EXPENDITURE LIMITS.—If the limits on expenditures under section 315(d)(3) of the Federal Election Campaign Act of 1971 are held to be invalid by the Supreme Court of the United States, then no television broadcast station, or provider of cable or satellite television service, shall be required to charge a national committee of a political party the lowest charge of the station described in paragraph (1) after the date of the Supreme Court holding unless the national

committee of a political party certifies to the Federal Election Commission that the committee, and each State committee of that political party of each State in which the advertisement is televised, will adhere to the expenditure limits, for the calendar year in which the general election to which the expenditure relates occurs, that would apply under such section as in effect on January 1, 2001.

“(ii) RATE NOT AVAILABLE FOR INDEPENDENT EXPENDITURES.—If the limits on expenditures under section 315(d)(3) of the Federal Election Campaign Act of 1971 are held to be invalid by the Supreme Court of the United States, then no television broadcast station, or provider of cable or satellite television service, shall be required to charge a national or State committee of a political party the lowest charge of the station described in paragraph (1) with respect to any independent expenditure (as defined in section 301 of the Federal Election Campaign Act of 1971).

“(iii) COORDINATION WITH OTHER PROVISIONS.—Clauses (i) and (ii) shall not apply if section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) does not apply with respect to an expenditure by a State or national committee of a political party by reason of section 315(i)(1)(C)(iii)(III) of that Act.

(b) FEDERAL ELECTION COMMISSION RULE-MAKING.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by adding at the end the following:

“(4) If the limits on expenditures under paragraph (3) are held to be invalid by the Supreme Court of the United States, the Commission shall prescribe rules to ensure that each national committee of political party that submits a certification under section 315(b)(2)(B) of the Communications Act of 1934, and each State committee of that political party described in such section, complies with such certification.”.

**SEC. 310. DONATIONS TO PRESIDENTIAL INAUGURAL COMMITTEE.**

(a) IN GENERAL.—Chapter 5 of title 36, United States Code, is amended by—

(1) redesignating section 510 as section 511; and

(2) inserting after section 509 the following:

**“§ 510. Disclosure of and prohibition on certain donations.**

“(a) IN GENERAL.—A committee shall not be considered to be the Inaugural Committee for purposes of this chapter unless the committee agrees to, and meets, the requirements of subsections (b) and (c).

“(b) DISCLOSURE.—

“(1) IN GENERAL.—Not later than the date that is 90 days after the date of the Presidential inaugural ceremony, the committee shall file a report with the Federal Election Commission disclosing any donation of money or anything of value made to the committee in an aggregate amount equal to or greater than \$200.

“(2) CONTENTS OF REPORT.—A report filed under paragraph (1) shall contain—

“(A) the amount of the donation;

“(B) the date the donation is received; and

“(C) the name and address of the person making the donation.

“(c) LIMITATION.—The committee shall not accept any donation from a foreign national (as defined in section 319(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b))).”.

(b) REPORTS MADE AVAILABLE BY FEC.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by sections 103, 201, and 212 is amended by adding at the end the following:

“(h) REPORTS FROM INAUGURAL COMMITTEES.—The Federal Election Commission shall make any report filed by an Inaugural Committee under section 510 of title 36, United States Code, accessible to the public at the offices of the Commission and on the Internet not later than 48 hours after the report is received by the Commission.”.

**SEC. 311. PROHIBITION ON FRAUDULENT SOLICITATION OF FUNDS.**

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

(1) by inserting “(a) IN GENERAL.—” before “No person”;

(2) by adding at the end the following:

“(b) FRAUDULENT SOLICITATION OF FUNDS.—No person shall—

“(1) fraudulently misrepresent the person as speaking, writing, or otherwise acting for or on behalf of any candidate or political party or employee or agent thereof for the purpose of soliciting contributions or donations; or

“(2) willfully and knowingly participate in or conspire to participate in any plan, scheme, or design to violate paragraph (1).”.

**SEC. 312. STUDY AND REPORT ON CLEAN MONEY CLEAN ELECTIONS LAWS.**

(a) CLEAN MONEY CLEAN ELECTIONS DEFINED.—In this section, the term “clean money clean elections” means funds received under State laws that provide in whole or in part for the public financing of election campaigns.

(b) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the clean money clean elections of Arizona and Maine.

(2) MATTERS STUDIED.—

(A) STATISTICS ON CLEAN MONEY CLEAN ELECTIONS CANDIDATES.—The Comptroller General of the United States shall determine—

(i) the number of candidates who have chosen to run for public office with clean money clean elections including—

(I) the office for which they were candidates;

(II) whether the candidate was an incumbent or a challenger; and

(III) whether the candidate was successful in the candidate’s bid for public office; and

(ii) the number of races in which at least one candidate ran an election with clean money clean elections.

(B) EFFECTS OF CLEAN MONEY CLEAN ELECTIONS.—The Comptroller General of the United States shall describe the effects of public financing under the clean money clean elections laws on the 2000 elections in Arizona and Maine.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress detailing the results of the study conducted under subsection (b).

**SEC. 313. CLARITY STANDARDS FOR IDENTIFICATION OF SPONSORS OF ELECTION-RELATED ADVERTISING.**

Section 318 of the Federal Election Campaign Act of 1971 (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”;

(iii) by striking “direct”;

(iv) by inserting “or makes a disbursement for an electioneering communication (as defined in section 304(f)(3))” after “public political advertising”;

(B) in paragraph (3), by inserting “and permanent street address, telephone number, or World Wide Web address” after “name”; and (2) by adding at the end the following:

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

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

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

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

“(d) ADDITIONAL REQUIREMENTS.—

“(1) AUDIO STATEMENT.—

“(A) CANDIDATE.—Any communication described in paragraphs (1) or (2) of subsection (a) which is transmitted through radio or television shall include, in addition to the requirements of that paragraph, an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

“(B) OTHER PERSONS.—Any communication described in paragraph (3) of subsection (a) which is transmitted through radio or television shall include, in addition to the requirements of that paragraph, in a clearly spoken manner, the following statement: ‘\_\_\_\_\_ is responsible for the content of this advertising.’ (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 transmitted through 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.

“(2) TELEVISION.—If a communication described in paragraph (1)(A) is transmitted through television, the communication shall include, in addition to the audio statement under paragraph (1), a written statement that—

“(A) 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

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

**SEC. 314. INCREASE IN PENALTIES.**

(a) IN GENERAL.—Subparagraph (A) of section 309(d)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is amended to read as follows:

“(A) Any person who knowingly and willfully commits a violation of any provision of this Act which involves the making, receiving, or reporting of any contribution, donation, or expenditure—

“(i) aggregating \$25,000 or more during a calendar year shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both; or

“(ii) aggregating \$2,000 or more (but less than \$25,000) during a calendar year shall be fined under such title, or imprisoned for not more than one year, or both.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to violations occurring on or after the date of enactment of this Act.

**SEC. 315. STATUTE OF LIMITATIONS.**

(a) IN GENERAL.—Section 406(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 455(a)) is amended by striking “3” and inserting “5”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to violations occurring on or after the date of enactment of this Act.

**SEC. 316. SENTENCING GUIDELINES.**

(a) IN GENERAL.—The United States Sentencing Commission shall—

(1) promulgate a guideline, or amend an existing guideline under section 994 of title 28, United States Code, in accordance with paragraph (2), for penalties for violations of the Federal Election Campaign Act of 1971 and related election laws; and

(2) submit to Congress an explanation of any guidelines promulgated under paragraph (1) and any legislative or administrative recommendations regarding enforcement of the Federal Election Campaign Act of 1971 and related election laws.

(b) CONSIDERATIONS.—The Commission shall provide guidelines under subsection (a) taking into account the following considerations:

(1) Ensure that the sentencing guidelines and policy statements reflect the serious nature of such violations and the need for aggressive and appropriate law enforcement action to prevent such violations.

(2) Provide a sentencing enhancement for any person convicted of such violation if such violation involves—

(A) a contribution, donation, or expenditure from a foreign source;

(B) a large number of illegal transactions;

(C) a large aggregate amount of illegal contributions, donations, or expenditures;

(D) the receipt or disbursement of governmental funds; and

(E) an intent to achieve a benefit from the Federal Government.

(3) Provide a sentencing enhancement for any violation by a person who is a candidate or a high-ranking campaign official for such candidate.

(4) Assure reasonable consistency with other relevant directives and guidelines of the Commission.

(5) Account for aggravating or mitigating circumstances that might justify exceptions, including circumstances currently provide sentencing enhancements.

(6) Assure the guidelines adequately meet the purposes of sentencing under section 3553(a)(2) of title 18, United States Code.

(c) EFFECTIVE DATE; EMERGENCY AUTHORITY TO PROMULGATE GUIDELINES.—

(1) EFFECTIVE DATE.—Notwithstanding section 402, the United States Sentencing Commission shall promulgate guidelines under this section not later than the later of—

(A) 90 days after the date of enactment of this Act; or

(B) 90 days after the date on which at least a majority of the members of the Commission are appointed and holding office.

(2) EMERGENCY AUTHORITY TO PROMULGATE GUIDELINES.—The Commission shall promulgate guidelines under this section in accordance with the procedures set forth in section 21(a) of the Sentencing Reform Act of 1987, as though the authority under such Act has not expired.

**SEC. 317. INCREASE IN PENALTIES IMPOSED FOR VIOLATIONS OF CONDUIT CONTRIBUTION BAN.**

(a) INCREASE IN CIVIL MONEY PENALTY FOR KNOWING AND WILLFUL VIOLATIONS.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraph (5)(B), by inserting before the period at the end the following: “(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of \$50,000 or 1000 percent of the amount involved in the violation)”;

(2) in paragraph (6)(C), by inserting before the period at the end the following: “(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of \$50,000 or 1000 percent of the amount involved in the violation)”.

(b) INCREASE IN CRIMINAL PENALTY.—Section 309(d)(1) of such Act (2 U.S.C. 437g(d)(1)) is amended by adding at the end the following new subparagraph:

“(D) Any person who knowingly and willfully commits a violation of section 320 involving an amount aggregating more than \$10,000 during a calendar year shall be—

“(i) imprisoned for not more than 2 years if the amount is less than \$25,000 (and subject to imprisonment under subparagraph (A) if the amount is \$25,000 or more); or

“(ii) fined not less than 300 percent of the amount involved in the violation and not more than the greater of—

“(I) \$50,000; or

“(II) 1,000 percent of the amount involved in the violation; or

“(iii) both imprisoned under clause (i) and fined under clause (ii).”.

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

**SEC. 318. RESTRICTION ON INCREASED CONTRIBUTION LIMITS BY TAKING INTO ACCOUNT CANDIDATE'S AVAILABLE FUNDS.**

Section 315(i)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(i)(1)), as added by this Act, is amended by adding at the end the following:

“(E) SPECIAL RULE FOR CANDIDATE'S CAMPAIGN FUNDS.—

“(i) IN GENERAL.—For purposes of determining the aggregate amount of expenditures from personal funds under subparagraph (D)(ii), such amount shall include the gross receipts advantage of the candidate's authorized committee.

“(ii) GROSS RECEIPTS ADVANTAGE.—For purposes of clause (i), the term ‘gross receipts advantage’ means the excess, if any, of—

“(I) the aggregate amount of 50 percent of gross receipts of a candidate's authorized committee during any election cycle (not including contributions from personal funds of the candidate) that may be expended in connection with the election, as determined on June 30 and December 31 of the year preceding the year in which a general election is held, over

“(II) the aggregate amount of 50 percent of gross receipts of the opposing candidate's authorized committee during any election cycle (not including contributions from personal funds of the candidate) that may be expended in connection with the election, as determined on June 30 and December 31 of the year preceding the year in which a general election is held.

**TITLE IV—SEVERABILITY; EFFECTIVE DATE**

**SEC. 401. SEVERABILITY.**

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments

made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

**SEC. 402. EFFECTIVE DATE.**

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect 30 days after the date of its enactment.

**SEC. 403. EXPEDITED REVIEW.**

(a) EXPEDITED REVIEW.—Any individual or organization that would otherwise have standing to challenge a provision of, or amendment made by, this Act may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that such provision or amendment violates the Constitution. For purposes of the expedited review provided by this section the exclusive venue for such an action shall be the United States District Court for the District of Columbia.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order or judgment of the United States District Court for the District of Columbia finally disposing of an action brought under subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 calendar days after such order or judgment is entered; and the jurisdictional statement shall be filed within 30 calendar days after such order or judgment is entered.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

**TITLE V—ADDITIONAL DISCLOSURE PROVISIONS**

**SEC. 501. INTERNET ACCESS TO RECORDS.**

Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended to read as follows:

“(B) The Commission shall make a designation, statement, report, or notification that is filed with the Commission under this Act available for inspection by the public in the offices of the Commission and accessible to the public on the Internet not later than 48 hours (24 hours in the case of a designation, statement, report, or notification filed electronically) after receipt by the Commission.”.

**SEC. 502. MAINTENANCE OF WEBSITE OF ELECTION REPORTS.**

(a) IN GENERAL.—The Federal Election Commission shall maintain a central site on the Internet to make accessible to the public all publicly available election-related reports and information.

(b) ELECTION-RELATED REPORT.—In this section, the term “election-related report” means any report, designation, or statement required to be filed under the Federal Election Campaign Act of 1971.

(c) COORDINATION WITH OTHER AGENCIES.—Any Federal executive agency receiving election-related information which that agency is required by law to publicly disclose shall cooperate and coordinate with the Federal Election Commission to make such report available through, or for posting on, the site of the Federal Election Commission in a timely manner.

**SEC. 503. ADDITIONAL MONTHLY AND QUARTERLY DISCLOSURE REPORTS.**

(a) PRINCIPAL CAMPAIGN COMMITTEES.—

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

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

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

(b) NATIONAL COMMITTEE OF A POLITICAL PARTY.—Section 304(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(4)) is amended by adding at the end the following flush sentence: “Notwithstanding the preceding sentence, a national committee of a political party shall file the reports required under subparagraph (B).”.

(c) CONFORMING AMENDMENTS.—

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

(A) in paragraph (3)(A)(ii), by striking “quarterly reports” and inserting “monthly reports”; and

(B) in paragraph (8), by striking “quarterly report under paragraph (2)(A)(iii) or paragraph (4)(A)(i)” and inserting “monthly report under paragraph (2)(A)(iii) or paragraph (4)(A)”.

(2) SECTION 309.—Section 309(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(b)) is amended by striking “calendar quarter” and inserting “month”.

**SEC. 504. PUBLIC ACCESS TO BROADCASTING RECORDS.**

Section 315 of the Communications Act of 1934 (47 U.S.C. 315), as amended by this Act, is amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and inserting after subsection (d) the following:

“(e) POLITICAL RECORD.—

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

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

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

“(i) a legally qualified candidate;

“(ii) any election to Federal office; or

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

“(2) CONTENTS OF RECORD.—A record maintained under paragraph (1) shall contain information regarding—

“(A) whether the request to purchase broadcast time is accepted or rejected by the licensee;

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

“(C) the date and time on which the communication is aired;

“(D) the class of time that is purchased;

“(E) the name of the candidate to which the communication refers and the office to

which the candidate is seeking election, the election to which the communication refers, or the issue to which the communication refers (as applicable);

“(F) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

“(G) in the case of any other request, the name of the person purchasing the time, the name, address, and phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

“(3) TIME TO MAINTAIN FILE.—The information required under this subsection shall be placed in a political file as soon as possible and shall be retained by the licensee for a period of not less than 2 years.”

#### NOTICE—REGISTRATION OF MASS MAILINGS

The filing date for 2001 first quarter mass mailings is April 25, 2001. If your office did no mass mailings during this period, please submit a form that states “none.”

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Public Records office will be open from 8:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

#### MEASURE READ THE FIRST TIME—H.R. 8

Mr. DOMENICI. Mr. President, I understand that H.R. 8, which was just received from the House, is at the desk, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: A bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes.

Mr. DOMENICI. Mr. President, I ask for its second reading and object to my own request on behalf of my colleagues.

The PRESIDING OFFICER. The bill will remain at the desk.

#### COMMENDING THE BLUE DEVILS OF DUKE UNIVERSITY

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 67, submitted earlier by Senators HELMS and EDWARDS.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 67) commending the Blue Devils of Duke University for winning the 2001 National Collegiate Athletic Association Mens Basketball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HELMS. Mr. President, Monday night, April 2, I was one of the countless North Carolinians—along with students, alumni, and admirers from across the country—watching the Blue Devils of Duke University win the 2001 NCAA Men’s College Basketball National Championship.

The talented young men who make up Duke’s remarkable team have assembled a fine record in winning its third championship in the last eleven years.

Mr. President, Duke University’s Men’s Basketball program has indeed achieved a special place in sports history.

North Carolinians have become accustomed to outstanding basketball teams representing our state during the past quarter century. In addition to Duke’s three National Championships, the North Carolina Tar Heels brought home the trophy in 1982 and 1993, while the North Carolina State Wolfpack won in 1974 and again in the memorable 1983 tournament when coached by the brave and inspirational Jim Valvano, whom is missed greatly.

But on the April 2 night, after a hard-fought battle with the fine Wildcats of Arizona University, the Duke Blue Devils emerged victorious, 82-72. Led by All-Americans Shane Battier and Jason Williams and boosted by a stellar performance by sophomore sharpshooter Mike Dunleavy, this Duke team is an example of what can be achieved through hard work and dedication.

Mr. President, the 2001 Duke team breezed through the season with customary excellence, finishing tied for first place in the Atlantic Coast Conference regular season, winning or sharing this honor for an unprecedented fifth time in five years. Duke then proceeded to win the ACC championship for the third year in a row.

Coach Mike Krzyzewski has built a much admired program during his 21 seasons at Duke. He recruits talented and committed student-athletes and molds them into a tightly-knit basketball “family”. His dedication to the team members has been rewarded with long-lasting relationships between coach and player.

“Coach K’s” guidance is often cited by his former players as crucial to each of them realizing his potential both on and off the court.

This program has earned Coach Krzyzewski and his teams not only three national championships, but seven appearances in National Championship games during the past 16 years.

The Duke program is a meaningful example for Americans, especially younger Americans, of determination, perseverance, and success in North Carolina. Day in and day out, whether

in the classroom or on the court, the members of this team have shown the country what it takes to be national champions.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 67) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 67

Whereas the 2000-2001 Duke University Blue Devils’ men’s basketball team (referred to in this resolution as the “Duke Blue Devils”) had a spectacular season;

Whereas the Duke Blue Devils finished the regular season with a 26-4 record, claiming a record 5 straight finishes in first place during the Atlantic Coast Conference regular season;

Whereas the Duke Blue Devils won the 2001 Atlantic Coast Conference Tournament Championship, winning the championship of that tournament for the third year in a row;

Whereas the Duke Blue Devils are the first men’s basketball team to be a number 1 seed in the National Collegiate Athletic Association’s Men’s Basketball Tournament during 4 consecutive seasons since that association began seeding teams in 1979;

Whereas the Duke Blue Devils amassed the most wins, 133, in a 4-year period of any National Collegiate Athletic Association men’s basketball team in history;

Whereas Shane Battier received the 2001 Naismith Award as men’s college basketball Player of the Year;

Whereas Coach Mike Krzyzewski has taken the Duke Blue Devils to 7 national championship games in 16 years;

Whereas Coach Krzyzewski led the Duke Blue Devils to the team’s third national championship;

Whereas the Duke Blue Devils are a fine example of academic and athletic dedication and success;

Whereas the team’s success during the 2000-2001 season was truly a team accomplishment; and

Whereas the Duke Blue Devils won the 2001 National Collegiate Athletic Association Men’s Basketball Championship: Now, therefore, be it

*Resolved*, That the Senate commends the Blue Devils of Duke University for winning the 2001 National Collegiate Athletic Association Men’s Basketball Championship.

#### MAD COW AND RELATED DISEASES PREVENTION ACT OF 2001

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 31, S. 700.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 700) to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly