

DEWINE) was added as a cosponsor of Senate Resolution 114, a resolution expressing the sense of the Senate that the transfer of Hong Kong to the People's Republic of China not alter the current or future status of Taiwan as a free and democratic country.

SENATE RESOLUTION 175

At the request of Mr. ROBB, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Nevada (Mr. BRYAN), the Senator from South Dakota (Mr. DASCHLE), the Senator from New York (Mr. D'AMATO), the Senator from Kentucky (Mr. FORD), the Senator from North Carolina (Mr. HELMS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mrs. MURRAY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Maryland (Mr. SARBANES), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of Senate Resolution 175, a resolution to designate the week of May 3, 1998 as "National Correctional Officers and Employees Week."

AMENDMENTS SUBMITTED ON FEBRUARY 23, 1998

THE PAYCHECK PROTECTION ACT

MCCAIN (AND OTHERS) AMENDMENT NO. 1646

Mr. MCCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Ms. COLLINS, Mr. LEVIN, and Mr. CLELAND) proposed an amendment to the bill (S. 1663) to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Bipartisan Campaign Reform Act of 1997".

(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—INDEPENDENT AND COORDINATED EXPENDITURES

Sec. 201. Definitions.

Sec. 202. Civil penalty.

Sec. 203. Reporting requirements for certain independent expenditures.

Sec. 204. Independent versus coordinated expenditures by party.

Sec. 205. Coordination with candidates.

TITLE III—DISCLOSURE

Sec. 301. Filing of reports using computers and facsimile machines; filing by Senate candidates with Commission.

Sec. 302. Prohibition of deposit of contributions with incomplete contributor information.

Sec. 303. Audits.

Sec. 304. Reporting requirements for contributions of \$50 or more.

Sec. 305. Use of candidates' names.

Sec. 306. Prohibition of false representation to solicit contributions.

Sec. 307. Soft money of persons other than political parties.

Sec. 308. Campaign advertising.

TITLE IV—PERSONAL WEALTH OPTION

Sec. 401. Voluntary personal funds expenditure limit.

Sec. 402. Political party committee coordinated expenditures.

TITLE V—MISCELLANEOUS

Sec. 501. Codification of Beck decision.

Sec. 502. Use of contributed amounts for certain purposes.

Sec. 503. Limit on congressional use of the franking privilege.

Sec. 504. Prohibition of fundraising on Federal property.

Sec. 505. Penalties for knowing and willful violations.

Sec. 506. Strengthening foreign money ban.

Sec. 507. Prohibition of contributions by minors.

Sec. 508. Expedited procedures.

Sec. 509. Initiation of enforcement proceeding.

TITLE VI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

Sec. 601. Severability.

Sec. 602. Review of constitutional issues.

Sec. 603. Effective date.

Sec. 604. Regulations.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

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. 324. 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) and any officers or agents of such party committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

"(2) **APPLICABILITY.**—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by a national committee of a political party (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

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

"(1) **IN GENERAL.**—An amount that is expended or disbursed 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) for Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

"(2) **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); and

"(iii) a 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 is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

"(B) **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) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

"(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;

"(v) the non-Federal share of a State, district, or local party committee's administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual's time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee's administrative and overhead expenses; and

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

"(c) **FUNDRAISING COSTS.**—An amount spent by a national, State, district, or local committee of a political party, by an entity that is established, financed, maintained, or controlled by a national, State, district, or local committee of a political party, or by an agent or officer of any such committee or entity, 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, an agent acting on behalf of any such party committee, 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, 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 to the Secretary of the Internal Revenue Service for determination of tax-exemption under such section).

"(e) **CANDIDATES.**—

“(1) IN GENERAL.—A candidate, individual holding Federal office, or agent of a candidate or individual holding Federal office shall not solicit, receive, direct, transfer, or spend funds for a Federal election activity on behalf of such candidate, individual, agent or any other person, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

“(A) STATE LAW.—Paragraph (1) does not apply to the solicitation or receipt of funds by an individual who is a candidate for a State or local office if the solicitation or receipt of funds is permitted under State law for any activity other than a Federal election activity.

“(B) FUNDRAISING EVENTS.—Paragraph (1) does not apply in the case of a candidate who attends, speaks, or is a featured guest at a fundraising event sponsored by a State, district, or local committee of a political party.”.

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 that, 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) (as amended by section 203) 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 324 APPLIES.—A political committee (not described in paragraph (1)) to which section 324(b)(1) applies shall report all receipts and disbursements made for activities described in paragraphs (2) and (3)(A)(v) of section 324(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).”.

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

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

SEC. 201. DEFINITIONS.

(a) 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.—

“(A) IN GENERAL.—The term ‘independent expenditure’ means an expenditure by a person—

“(i) for a communication that is express advocacy; and

“(ii) that is not provided in coordination with a candidate or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent.”.

(b) DEFINITION OF EXPRESS ADVOCACY.—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) EXPRESS ADVOCACY.—

“(A) IN GENERAL.—The term ‘express advocacy’ means a communication that advocates the election or defeat of a candidate by—

“(i) containing a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to advocate the election or defeat of 1 or more clearly identified candidates;

“(ii) referring to 1 or more clearly identified candidates in a paid advertisement that is broadcast by a radio broadcast station or a television broadcast station within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

“(iii) expressing unmistakable and unambiguous support for or opposition to 1 or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

“(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term ‘express advocacy’ does not include a printed communication that—

“(i) presents information in an educational manner solely about the voting record or position on a campaign issue of 2 or more candidates;

“(ii) that is not made in coordination with a candidate, political party, or agent of the candidate or party; or a candidate’s agent or a person who is coordinating with a candidate or a candidate’s agent;

“(iii) does not contain a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, or ‘reject’, or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of 1 or more clearly identified candidates.”.

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

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

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

(3) by adding at the end the following:

“(iii) a payment for a communication that is express advocacy; and

“(iv) a payment made by a person for a communication that—

“(I) refers to a clearly identified candidate;

“(II) is provided in coordination with the candidate, the candidate’s agent, or the political party of the candidate; and

“(III) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).”.

SEC. 202. CIVIL PENALTY.

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

(1) in subsection (a)—

(A) in paragraph (4)(A)—

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

(ii) by adding at the end the following:

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

(B) in paragraph (6)(B), by inserting “(except an action instituted in connection with a knowing and willful violation of section 304(c))” after “subparagraph (A)”; and

(2) in subsection (d)(1)—

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

(B) by adding at the end the following:

“(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.”.

SEC. 203. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

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

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

(2) by redesignating paragraph (3) as paragraph (7); and

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

“(d) 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 after that amount of independent expenditures has been made.

“(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 after that amount of independent expenditures has been made.

“(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. 204. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

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

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

(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 has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

“(C) APPLICATION.—For the 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. 205. COORDINATION WITH CANDIDATES.

(a) DEFINITION OF COORDINATION WITH CANDIDATES.—

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

(A) in subparagraph (A)—

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

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

(iii) by adding at the end the following:

“(iii) anything of value provided by a person in coordination with a candidate for the purpose of influencing a Federal election, regardless of whether the value being provided is a communication that is express advocacy, in which such candidate seeks nomination or election to Federal office.”; and

(B) by adding at the end the following:

“(C) The term ‘provided in coordination with a candidate’ includes—

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

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

“(iii) a payment made by a person based on information about a candidate’s plans, projects, or needs provided to the person making the payment by the candidate or the candidate’s agent who provides the information with the intent that the payment be made;

“(iv) a payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate’s authorized committee in an executive or policymaking position;

“(v) a payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate’s campaign or has participated in formal strategic or formal policymaking discussions with the candidate’s campaign relating to the candidate’s pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made;

“(vi) a payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has provided or is providing campaign-related services in the same election cycle to a candidate in connection with the candidate’s pursuit of nomination for election, or election, to Federal office, including services relating to the candidate’s decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate’s campaign;

“(vii) a payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (vi) for a communication that clearly refers to the candidate and is for the purpose of influencing an election (regardless of whether the communication is express advocacy);

“(viii) direct participation by a person in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate;

“(ix) communication by a person with the candidate or an agent of the candidate, occurring after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member), acting on behalf of the candidate, about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate’s campaign, including campaign operations, staffing, tactics, or strategy; or

“(x) the provision of in-kind professional services or polling data to the candidate or candidate’s agent.

“(D) For purposes of subparagraph (C), the term ‘professional services’ includes services in support of a candidate’s pursuit of nomination for election, or election, to Federal office such as polling, media advice, direct mail, fundraising, or campaign research.

“(E) For purposes of subparagraph (C), 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.”.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

“(B) a thing of value provided in coordination with a candidate, as described in section 301(8)(A)(iii), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.

(b) 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)) 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—DISCLOSURE

SEC. 301. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES; FILING BY SENATE CANDIDATES WITH COMMISSION.

(a) USE OF COMPUTER AND FACSIMILE MACHINE.—Section 302(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

“(11)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

“(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or expenditures in excess of a threshold amount determined by the Commission; and

“(ii) may maintain and file a designation, statement, or report in electronic form or an alternative form, including the use of a facsimile machine, if not required to do so under the regulation promulgated under clause (i).

“(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the designation, statement, report, or notification is received by the Commission.

“(C) In promulgating a regulation under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulation. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.”.

(b) SENATE CANDIDATES FILE WITH COMMISSION.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended—

(1) in section 302, by striking subsection (g) and inserting the following:

“(g) FILING WITH THE COMMISSION.—All designations, statements, and reports required to be filed under this Act shall be filed with the Commission.”; and

(2) in section 304—

(A) in subsection (a)(6)(A), by striking “the Secretary or”; and

(B) in the matter following subsection (c)(2), by striking “the Secretary or”.

SEC. 302. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS WITH INCOMPLETE CONTRIBUTOR INFORMATION.

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

“(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of a candidate’s authorized committee shall not deposit, except in an escrow account, or otherwise negotiate a contribution from a person who makes an aggregate amount of contributions in excess of \$200 during a calendar year unless the treasurer verifies that the information required by this section with respect to the contributor is complete.”.

SEC. 303. AUDITS.

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

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

(2) by adding at the end the following:

“(2) RANDOM AUDITS.—

“(A) IN GENERAL.—Notwithstanding paragraph (1), the Commission may conduct random audits and investigations to ensure voluntary compliance with this Act. The selection of any candidate for a random audit or investigation shall be based on criteria adopted by a vote of at least 4 members of the Commission.

“(B) LIMITATION.—The Commission shall not conduct an audit or investigation of a candidate's authorized committee under subparagraph (A) until the candidate is no longer a candidate for the office sought by the candidate in an election cycle.

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

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

SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBUTIONS OF \$50 OR MORE.

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

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

(2) by striking the semicolon and inserting “, except that in the case of a person who makes contributions aggregating at least \$50 but not more than \$200 during the calendar year, the identification need include only the name and address of the person;”.

SEC. 305. USE OF CANDIDATES' NAMES.

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

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

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

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

“(ii) except in the case of a national, State, or local party committee, use the name of any candidate in any activity on behalf of the committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.”.

SEC. 306. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

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

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

(2) by adding at the end the following:

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

SEC. 307. SOFT MONEY OF PERSONS OTHER THAN POLITICAL PARTIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 103(c)) is amended by adding at the end the following:

“(g) DISBURSEMENTS OF PERSONS OTHER THAN POLITICAL PARTIES.—

“(1) IN GENERAL.—A person, other than a political committee or a person described in section 501(d) of the Internal Revenue Code of 1986, that makes an aggregate amount of disbursements in excess of \$50,000 during a calendar year for activities described in paragraph (2) shall file a statement with the Commission—

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

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

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

“(A) Federal election activity;

“(B) an activity described in section 316(b)(2)(A) that expresses support for or opposition to a candidate for Federal office or a political party; and

“(C) an activity described in subparagraph (C) of section 316(b)(2).

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

“(A) a candidate or a candidate's authorized committees; or

“(B) an independent expenditure.

“(4) CONTENTS.—A statement under this section shall contain such information about the disbursements made during the reporting period as the Commission shall prescribe, including—

“(A) the aggregate amount of disbursements made;

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

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

“(D) if applicable, whether the disbursement was in support of, or in opposition to, a candidate or a political party, and the name of the candidate or the political party.”.

(b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 201(b)) is amended by adding at the end the following:

“(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.”.

SEC. 308. CAMPAIGN 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”; and

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

(iii) by striking “direct”; and

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

(2) by adding at the end the following:

“(c) 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)(1) Any broadcast or cablecast communication described in paragraphs (1) or (2) of subsection (a) 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.

“(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the communication shall include, in addition to

the audio statement under paragraph (1), a written statement 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.

“(e) Any broadcast or cablecast communication described in paragraph (3) of subsection (a) 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 advertisement.” (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If broadcast or cablecast by means of television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.”.

TITLE IV—PERSONAL WEALTH OPTION

SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT.

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

“SEC. 325. VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT.

“(a) ELIGIBLE SENATE CANDIDATE.—

“(1) PRIMARY ELECTION.—

“(A) DECLARATION.—A candidate is an eligible primary election Senate candidate if the candidate files with the Commission a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

“(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than the date on which the candidate files with the appropriate State officer as a candidate for the primary election.

“(2) GENERAL ELECTION.—

“(A) DECLARATION.—A candidate is an eligible general election Senate candidate if the candidate files with the Commission—

“(i) a declaration under penalty of perjury, with supporting documentation as required by the Commission, that the candidate and the candidate's authorized committees did not exceed the personal funds expenditure limit in connection with the primary election; and

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

“(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than 7 days after the earlier of—

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

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

“(b) PERSONAL FUNDS EXPENDITURE LIMIT.—

“(1) IN GENERAL.—The aggregate amount of expenditures that may be made in connection with an election by an eligible Senate candidate or the candidate's authorized committees from the sources described in paragraph (2) shall not exceed \$50,000.

“(2) SOURCES.—A source is described in this paragraph if the source is—

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

“(B) proceeds of indebtedness incurred by the candidate or a member of the candidate's immediate family.

“(C) CERTIFICATION BY THE COMMISSION.—

“(1) IN GENERAL.—The Commission shall determine whether a candidate has met the requirements of this section and, based on the determination, issue a certification stating whether the candidate is an eligible Senate candidate.

“(2) TIME FOR CERTIFICATION.—Not later than 7 business days after a candidate files a declaration under paragraph (1) or (2) of subsection (a), the Commission shall certify whether the candidate is an eligible Senate candidate.

“(3) REVOCATION.—The Commission shall revoke a certification under paragraph (1), based on information submitted in such form and manner as the Commission may require or on information that comes to the Commission by other means, if the Commission determines that a candidate violates the personal funds expenditure limit.

“(4) DETERMINATIONS BY COMMISSION.—A determination made by the Commission under this subsection shall be final, except to the extent that the determination is subject to examination and audit by the Commission and to judicial review.

“(d) PENALTY.—If the Commission revokes the certification of an eligible Senate candidate—

“(1) the Commission shall notify the candidate of the revocation; and

“(2) the candidate and a candidate's authorized committees shall pay to the Commission an amount equal to the amount of expenditures made by a national committee of a political party in connection with the general election campaign of the candidate under section 315(d).”

SEC. 402. POLITICAL PARTY COMMITTEE COORDINATED EXPENDITURES.

Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) (as amended by section 204) is amended by adding at the end the following:

“(5) This subsection does not apply to expenditures made in connection with the general election campaign of a candidate for the Senate who is not an eligible Senate candidate (as defined in section 325(a)).”

TITLE V—MISCELLANEOUS

SEC. 501. CODIFICATION OF BECK DECISION.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

“(h) NONUNION MEMBER PAYMENTS TO LABOR ORGANIZATION.—

“(1) IN GENERAL.—It shall be an unfair labor practice for any labor organization which receives a payment from an employee pursuant to an agreement that requires employees who are not members of the organization to make payments to such organization in lieu of organization dues or fees not to establish and implement the objection procedure described in paragraph (2).

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

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

“(i) reasonable personal notice of the objection procedure, the employees eligible to invoke the procedure, and the time, place, and manner for filing an objection; and

“(ii) reasonable opportunity to file an objection to paying for organization expenditures supporting political activities unre-

lated to collective bargaining, including but not limited to the opportunity to file such objection by mail.

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

“(i) reduce the payments in lieu of organization dues or fees by such employee by an amount which reasonably reflects the ratio that the organization's expenditures supporting political activities unrelated to collective bargaining bears to such organization's total expenditures;

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

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

SEC. 502. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

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

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

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

“(1) for 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 amount 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 amount 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 officeholder, 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. 503. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

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

“(A) A Member of Congress shall not mail any mass mailing as franked mail during a

year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that Office, unless the Member has made a public announcement that the Member will not be a candidate for reelection to that year or for election to any other Federal office.”

SEC. 504. PROHIBITION OF FUNDRAISING ON FEDERAL PROPERTY.

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

(1) 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 for a political committee or a candidate for Federal, State or local office 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. An individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, shall not solicit a donation of money or other thing of value for a political committee or candidate for Federal, State or local office, 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.”

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

SEC. 505. PENALTIES FOR KNOWING AND WILLFUL VIOLATIONS.

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

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

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

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

(c) AUTOMATIC PENALTY FOR LATE FILING.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following:

“(13) PENALTY FOR LATE FILING.—

“(A) IN GENERAL.—

“(i) MONETARY PENALTIES.—The Commission shall establish a schedule of mandatory monetary penalties that shall be imposed by the Commission for failure to meet a time requirement for filing under section 304.

“(ii) REQUIRED FILING.—In addition to imposing a penalty, the Commission may require a report that has not been filed within the time requirements of section 304 to be filed by a specific date.

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

“(B) FILING AN EXCEPTION.—

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

“(ii) TIME FOR COMMISSION TO RULE.—With- in 30 days after receiving an exception, the Commission shall make a determination that is a final agency action subject to ex- clusive review by the United States Court of Appeals for the District of Columbia Circuit under section 706 of title 5, United States Code, upon petition filed in that court by the political committee or treasurer that is the subject of the agency action, if the petition is filed within 30 days after the date of the Commission action for which review is sought.”;

(2) in paragraph (5)(D)—

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

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

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

SEC. 506. STRENGTHENING FOREIGN MONEY BAN.

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

(1) by striking the heading and inserting the following: “CONTRIBUTIONS AND DONA- TIONS 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 indi- rectly, to make—

“(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a polit- ical committee or a candidate for Federal of- fice; or

“(ii) a contribution or donation to a com- mittee of a political party; or

“(B) for a person to solicit, accept, or re- ceive such contribution or donation from a foreign national.”.

SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.

Title III of the Federal Election Cam- paign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 401) is amended by adding at the end the following:

“SEC. 326. PROHIBITION OF CONTRIBUTIONS BY MINORS.

An individual who is 17 years old or young- er shall not make a contribution to a can- didate or a contribution or donation to a committee of a political party.”.

SEC. 508. EXPEDITED PROCEDURES.

(a) IN GENERAL.—Section 309(a) of the Fed- eral Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as amended by section 505(c)) is amended by adding at the end the following:

“(14)(A) If the complaint in a proceeding was filed within 60 days preceding the date of a general election, the Commission may take action described in this subparagraph.

“(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that there is clear and convincing evidence that a violation of this Act has occurred, is occurring, or is about to occur, the Commis- sion may order expedited proceedings, short- ening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties.

“(C) If the Commission determines, on the basis of facts alleged in the complaint and

other facts available to the Commission, that the complaint is clearly without merit, the Commission may—

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

“(ii) if the Commission determines that there is insufficient time to conduct pro- ceedings before the election, summarily dis- miss the complaint.”.

(b) REFERRAL TO ATTORNEY GENERAL.—Sec- tion 309(a)(5) of the Federal Election Cam- paign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking subparagraph (C) and inserting the following:

“(C) The Commission may at any time, by an affirmative vote of at least 4 of its mem- bers, refer a possible violation of this Act or chapter 95 or 96 of title 26, United States Code, to the Attorney General of the United States, without regard to any limitation set forth in this section.”.

SEC. 509. INITIATION OF ENFORCEMENT PRO- CEEDING.

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

TITLE VI—SEVERABILITY; CONSTITU- TIONALITY; EFFECTIVE DATE; REGULA- TIONS

SEC. 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a pro- vision or amendment to any person or cir- cumstance, 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. 602. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Su- preme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

SEC. 603. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect on the date that is 60 days after the date of enactment of this Act or January 1, 1998, whichever occurs first.

SEC. 604. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this Act not later than 270 days after the ef- fective date of this Act.

AMENDMENTS SUBMITTED ON FEBRUARY 24, 1998

THE PAYCHECK PROTECTION ACT

SNOWE (AND OTHERS) AMENDMENT NO. 1647

Ms. SNOWE (for herself, Mr. Jeffords, Mr. LEVIN, Mr. LIEBERMAN, Mr. MCCAIN, Mr. FEINGOLD, Mr. CHAFEE, Ms. COLLINS, and Mr. THOMPSON) pro- posed an amendment to amendment No. 1646 proposed by Mr. MCCAIN to the bill (S. 1663) to protect individuals from having their money involuntarily col- lected and used for politics by a cor-

poration or labor organization; as fol- lows:

Strike section 201 and insert:

Subtitle A—Electioneering Communications SEC. 200. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.

Section 304 of the Federal Election Cam- paign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new sub- section:

“(d) ADDITIONAL STATEMENTS ON ELECTION- EERING 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 con- taining the information described in para- graph (2).

“(2) CONTENTS OF STATEMENT.—Each state- ment required to be filed under this sub- section shall be made under penalty of per- jury and shall contain the following informa- tion:

“(A) The identification of the person mak- ing the disbursement, of any entity sharing or exercising direction or control over the activities of such person, and of the custo- dian of the books and accounts of the person making the disbursement.

“(B) The State of incorporation and the principal place of business of the person making the disbursement.

“(C) The amount of each disbursement dur- ing the period covered by the statement and the identification of the person to whom the disbursement was made.

“(D) The elections to which the election- eering 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 account to which only individ- uals could contribute the names and address- es of all contributors who contributed an ag- gregate amount of \$500 or more to that ac- count during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

“(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 \$500 or more to the organization or any related enti- ty during the period beginning on the first day of the preceding calendar year and end- ing on the disclosure date.

“(G) Whether or not any electioneering communication is made in coordination, co- operation, consultation, or concert with, or at the request or suggestion of, any can- didate or any authorized committee, any po- litical party or committee, or any agent of the candidate, political party, or committee and if so, the identification of any candidate, party, committee, or agent involved.

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

“(A) IN GENERAL.—The term ‘election- eering communication’ means any broadcast from a television or radio broadcast station which—

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

“(ii) is made (or scheduled to be made) within—

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

“(II) 30 days before a primary or preference election, or a convention or caucus of a po- litical party that has authority to nominate a candidate, for such Federal office, and

“(iii) is broadcast from a television or radio broadcast station whose audience in- cludes the electorate for such election, con- vention, or caucus.