"(ii) TIME FOR COMMISSION TO RULE.—Within 30 days after receiving an exception, the Commission shall make a determination that is a final agency action subject to exclusive 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 "paragraph (4)(A)" and inserting "paragraph (4)(A) or (13)".

SEC. 506. 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 DONA-

the following: "CONTRIBUTIONS AND DONA-TIONS BY FOREIGN NATIONALS"; and (2) by striking subsection (a) and inserting

(2) by suffring subsection (2) 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 political committee or a candidate for Federal office; or

"(ii) a contribution or donation to a committee of a political party; or

"(B) for a person to solicit, accept, or receive such contribution or donation from a foreign national.".

SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.

Title III of the Federal Election Campaign 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 younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.".

SEC. 508. EXPEDITED PROCEDURES.

(a) IN GENERAL.—Section 309(a) of the Federal 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 Commission may order expedited proceedings, shortening 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.

 $``(C) \ \mbox{If the Commission determines, on the basis of facts alleged in the complaint and$

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

"(i) order expedited proceedings, shortening 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 proceedings before the election, summarily dismiss the complaint.".

(b) REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5) of the Federal Election Campaign 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 members, 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 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. 602. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme 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 effective 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) proposed an amendment to amendment No. 1646 proposed by Mr. McCAIN 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 section 201 and insert:

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

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

"(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 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 State of incorporation and the principal place of business of the person making the disbursement.

"(C) The amount of each disbursement 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 account to which only individuals could contribute the names and addresses of all contributors who contributed an aggregate amount of \$500 or more to that account 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 entity during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

"(G) Whether or not any electioneering communication is made in coordination, cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee, any political 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.

 $^{\prime\prime}(3)$ Electioneering Communication.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'electioneering communication' means any broadcast from a television or radio broadcast station which—

 $``(i) \ refers to a clearly identified candidate for Federal office;$

 $``(ii) \ is \ made \ (or \ scheduled \ to \ be \ made) \ within---$

 $``({\rm I})$ 60 days before a general, special, or runoff election for such Federal office, or

 $``({\rm II}) 30$ 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 broadcast from a television or radio broadcast station whose audience includes the electorate for such election, convention, or caucus. "(B) Exceptions.—Such term shall not include—

"(i) communications 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) communications which constitute expenditures or independent expenditures 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 contracted to make the disbursement.

"(6) COORDINATION WITH OTHER REQUIRE-MENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act." SEC. 200A. COORDINATED COMMUNICATIONS AS CONTRIBUTIONS.

Section 315(a)(7)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)(B)) is amended by inserting after clause (ii) the following new clause:

"(iii) if—

"(I) any person makes, or contracts to make, any payment for any electioneering communication (within the meaning of section 304(d)(3)), and

"(II) such payment is coordinated with a candidate for Federal office 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 payment or contracting shall be treated as a contribution to such candidate and as an expenditure by such candidate; and".

SEC. 200B. PROHIBITION OF CORPORATE AND LABOR DISBURSEMENTS FOR ELEC-TIONEERING 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 COMMU-NICATION.—Section 316 of such Act is amended by adding at the end the following new subsection:

"(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—

"(1) APPLICABLE ELECTIONEERING COMMU-NICATION.—For purposes of this section, the term 'applicable electioneering communication' means an electioneering communication (within the meaning of section 304(d)(3)) which is made by—

"(A) any entity to which subsection (a) applies other than a section 501(c)(4) organization, or

"(B) a section 501(c)(4) organization from amounts derived from the conduct of a trade or business or from an entity described in subparagraph (A).

"(2) 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 paragraph (1)(A) if—

"(i) the entity described in paragraph (1)(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 organization or a State or local political party or committee thereof that receives anything of value from the entity described in paragraph (1)(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.

"(B) A section 501(c)(4) organization that derives amounts from business activities or from any entity described in paragraph (1)(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.

 $``(3) \ \mbox{Definitions and Rules.} \label{eq:stable} For purposes of this subsection-$

''(A) the term 'section 501(c)(4) organization' means—

"(ii) 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 contracted to make the disbursement.

"(4) 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 from carrying out any activity which is prohibited under such Code."

Subtitle B—Independent and Coordinated Expenditures

SEC. 201. DEFINITION OF INDEPENDENT EXPEND-ITURE.

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 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."

LOTT AMENDMENT NO. 1648

Mr. LOTT proposed an amendment to amendment No. 1647 proposed by Ms. SNOWE to the bill, S. 1663, supra; as follows:

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

SEC. 200. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

LOTT AMENDMENT NO. 1649

Mr. LOTT proposed an amendment to the bill, S. 1663, supra; as follows:

In the language proposed to be stricken in the bill, strike all after the word "political" on page 2, line 23, and insert the following:

SECTION 3. ELECTIONEERING COMMUNICA-TIONS.

"party.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1650

Mr. LOTT proposed an amendment to amendment No. 1649 proposed by him to the bill, S. 1663, supra; as follows:

Strike all after the first word in the pending amendment and insert the following:

SECTION 3. ELECTIONEERING COMMUNICA-TIONS.

(a) PROHIBTION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communication Act of 1934.

(b) $\mbox{EFFECTIVE}$ DATE.—This section shall take effect two days after enactment of this Act.

LOTT AMENDMENT NO. 1651

Mr. LOTT proposed an amendment to the motion to commit proposed by him to the bill, S. 1663, supra; as follows:

At the end of the instructions add the following:

"with an amendment as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934."

LOTT AMENDMENT NO. 1652

Mr. LOTT proposed an amendment to amendment No. 1651 proposed by him to the bill, S. 1663, supra; as follows:

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

SEC. 1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1653

Mr. LOTT proposed an amendment to amendment No. 1651 proposed by him to the bill, S. 1663, supra; as follows:

Strike all after the word "section" in the pending amendment and insert the following: **LELECTIONEERING COMMUNICATIONS.**

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

HUTCHISON AMENDMENTS NOS. 1654—1656

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted three amendments intended to be proposed by her to the bill, S. 1663, supra; as follows:

Amendment No. 1654

At the appropriate place, insert the following:

SEC. ____. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6)(A) of title 39, United States Code, is amended to read as follows:

"(A) A Member of Congress shall not mail any mass mailing as franked mail during a year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that Office, unless the Member has made a public announcement that the Member will not be a candidate for election to any Federal office in that year (including the office held by the Member).".

Amendment No. 1655

At the appropriate place, insert the following:

SEC.

LIMITATION ON REIMBURSEMENT FROM CAMPAIGNS FOR CONTRIBU-TIONS BY SENATE CANDIDATES AND IMMEDIATE FAMILIES OF SENATE CANDIDATES.

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. ______. LIMITATION ON REIMBURSEMENT FROM CAMPAIGNS FOR CONTRIBU-TIONS BY SENATE CANDIDATES AND IMMEDIATE FAMILIES OF SENATE CANDIDATES.

"(a) IN GENERAL.—The aggregate amount of contributions made during an election cycle to a Senate candidate or the candidate's authorized committees from the sources described in subsection (b) that may be reimbursed to those sources shall not exceed \$250,000.

"(b) SOURCES.—A source is described in this subsection if the source is—

"(1) personal funds of the candidate and members of the candidate's immediate family; or

"(2) personal loans incurred by the candidate and members of the candidate's immediate family.

"(c) INDEXING.—The \$250,000 amount under subsection (a) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 1997.". Amendment No. 1656

At the appropriate place, insert the following:

SEC. ____. LIMITATION ON ACCEPTANCE OF OUT-OF-STATE CONTRIBUTIONS BY SEN-ATE CANDIDATES.

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. ____. LIMITATION ON ACCEPTANCE OF OUT-OF-STATE CONTRIBUTIONS BY SEN-ATE CANDIDATES.

"(a) LIMITATION.—A Senate candidate and the candidate's authorized committees shall not accept, during an election cycle, contributions from persons other than individuals residing in the candidate's State in an amount exceeding 40 percent of the total amount of contributions accepted during the election cycle.

"(b) DEFINITION OF ELECTION CYCLE.—In this section, the term 'election cycle' means the period beginning on the day after the date of the most recent general election for the specific office or seat that the candidate seeks and ending on the date of the next general election for that office or seat.".

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, February 25th, 1998 at 9:30 a.m. and Thursday, February 26th, 1998 at 11:00 a.m. in room 562 of the Dirksen Senate Office Building to conduct hearings on the President's FY '99 budget request for Indian programs.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on March 5, 1998 at 9:00 a.m. in SR-328A. The purpose of this meeting will be to examine the Kyoto Treaty on Climate Change and its effect on the agricultural economy.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be authorized to meet on Tuesday, February 24, 1998, at 9:30 a.m. on tobacco legislation.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet for a hearing on Tuesday, February 24, 1998, at 3:00 p.m. The subject of the hearing is the substitute for S. 981, The Regulatory Improvement Act of 1998.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Com-

mittee on Foreign Relations be authorized to meet during the session of the Senate on February 24, 1998, at 10:00 AM to hold a hearing.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Tobacco Settlement V during the ses-

sion of the Senate on Tuesday, February 24, 1998, at 10:00 a.m. The PRESIDING OFFICER. Without

objection, it is so ordered. SUBCOMMITTEE ON CONSTITUTION, FEDERALISM, AND PROPERTY RIGHTS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, Federalism, and Property Rights, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Tuesday, February 24, 1997 at 2:00 p.m. to hold a hearing in room 226, Senate Dirksen Building, on: "Term Limits or Campaign Finance Reform: Which Provides True Political Reform?"

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, February 24, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:00 p.m. The purpose of this oversight hearing is to receive testimony on the visitor center and museum facilities project at Gettysburg National Military Park.

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

SUBCOMMITTEE ON READINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Readiness of the Committee on Armed Services be authorized to meet on Tuesday, February 24, 1998 at 3:00 p.m. in open session, to receive testimony on the status of the operational readiness of the U.S. Military Forces including the availability of resources and training opportunities necessary to meet our national security requirements.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM,

AND GOVERNMENT INFORMATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Technology, Terrorism, and Government Information, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Tuesday, February 24, 1997 at 9:00 a.m. to hold a hearing in room 226, Senate Dirksen Building, on: "Foreign Terrorists in America: Five Years After the World Trade Center."