

(Mr. HELMS) was added as a cosponsor of Senate Resolution 193, a resolution designating December 13, 1998, as "National Children's Memorial Day."

SENATE RESOLUTION 257

At the request of Mr. MURKOWSKI, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of Senate Resolution 257, a resolution expressing the sense of the Senate that October 15, 1998, should be designated as "National Inhalant Abuse Awareness Day."

SENATE RESOLUTION 272—EXPRESSING THE SENSE OF THE SENATE RECOGNIZING THE DISTINGUISHED SERVICE OF ANGELA RAISH

Mr. DOMENICI (for himself, Mr. BINGAMAN, and Mr. D'AMATO) submitted the following resolution, which was considered and agreed to:

S. RES. 272

Whereas Angela Raish retired from the United States Senate on July 31, 1998, after more than twenty-one years of distinguished service to the United States Senate, Senator Pete V. Domenici, and the people of New Mexico;

Whereas Angela combined exceptional professional and organizational skills, untiring initiative, and unlimited compassion to accomplish both major, and simply thoughtful, tasks for the Senator and his constituents;

Whereas Angela has always generously given of herself out of a genuine love and concern for others, without hesitation or expectation of reward;

Whereas Angela has had an impressive career beginning during World War II in the Navy Department, office of Admiral S. C. Hooper where she developed the professional and personal skills that she refined into her trademark standard of excellence;

Whereas in 1968, Angela worked for President Richard M. Nixon's Inaugural Committee, and in 1972, she served as the Assistant to the Chairman, and received the gavel used to convene the Republican National Convention as a token of appreciation for a job well done from Gerald R. Ford, the Republican National Committee and Republican Convention Chairman;

Whereas Angela's endearing attitude and hard work earned the respect and admiration of Anne Armstrong and the staff at the White House in 1974 and 1975;

Whereas Angela has always balanced her public service with her private life and has been married to the self-described "luckiest man in the Navy," Bob Raish, since February 8, 1947;

Whereas, her colleagues always know they have a devoted friend and confidant;

Whereas Angela is known for her love of Italy, her pride in her ancestral home in Camogli, and her affection for Lake Maggiore;

Whereas Angela is "una donna eccezionale," (an exceptional woman); the Senator's vero "braccio destro" (his right hand helper), and "La Signora Aggiestatutto per gli elettori" (Mrs. Fix-it for constituents);

Whereas Angela is a gracious hostess and accomplished cook who is going to pursue new culinary challenges in her retirement; and

Whereas all those whose lives are richer for having known Angela Raish will miss here deeply and send her warm wishes on her well-deserved retirement: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the achievements of Angela Raish and her more than 21 years of service to the Senate and Senator Domenici be honored and celebrated;

(2) the love and affection that Angela's friends and colleagues share for her be recognized; and

(3) Angela's pride in work and home be recognized as the standard to which all should aspire.

AMENDMENTS SUBMITTED

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

JEFFORDS (AND TORRICELLI) AMENDMENT NO. 3541

Mr. GORTON (for Mr. JEFFORDS, for himself and Mr. TORRICELLI) proposed an amendment to the bill (S. 2337) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes; as follows:

At the end of Title I, add the following new section:

"SEC. . Up to \$10 million of funds available in fiscal year 1998 and 1999 shall be available for matching grants, not covering more than 50 percent of the total cost of any acquisition to be made with such funds, to States and local communities for purposes of acquiring lands or interests in lands to preserve and protect Civil War battlefield sites identified in the July 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War Sites Advisory Commission. Lands or interests in lands acquired pursuant to this section shall be subject to the requirements of paragraph 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(f)(3))."

BOXER AMENDMENT NO. 3542

(Ordered to lie on the table.)

Mrs. BOXER submitted an amendment intended to be proposed by her to the bill, S. 2337, supra; as follows:

On page 75, line 13 and 14, strike "\$165,091,000, to remain available until expended as authorized by law" and insert "\$175,091,000, to remain available until expended, as provided by law, of which \$10,000,000 shall be made available to the Centers for Protection Against Natural Disasters from the Emergency Fire Suppression Account to implement a National Integrated Fire Management System development program under which no State cost-sharing requirement shall apply".

On page 76, line 10, strike "\$587,885,000" and insert "\$577,885,000".

CRAIG AMENDMENT NO. 3543

Mr. GORTON (for Mr. CRAIG) proposed an amendment to the bill, S. 2337, supra; as follows:

On page 134, strike lines 21-25, and insert in lieu thereof the following:

SEC. 333. In the second proviso of section 343 of Public Law 105-83, delete "1999" and insert "2000" in lieu thereof.

ENZI (AND THOMAS) AMENDMENT NO. 3544

Mr. GORTON (for Mr. ENZI, for himself and Mr. THOMAS) proposed an amendment to the bill, S. 2337, supra; as follows:

On page 74, after line 20, add the following:
SEC. . LEASING OF CERTAIN RESERVED MINERAL INTERESTS.

(a) APPLICATION OF MINERAL LEASING ACT.—Notwithstanding section 4 of Public Law 88-608 (78 Stat. 988), the Federal reserved mineral interests in land conveyed under that Act by United States land patents No. 49-71-0059 and No. 49-71-0065 shall be subject to the Act of February 25, 1920 (commonly known as the "Mineral Leasing Act") (30 U.S.C. 181 et seq.).

(b) ENTRY.—

(1) IN GENERAL.—A person that acquires a lease under the Act of February 25, 1920 (30 U.S.C. 181 et seq.) for the interests referred to in subsection (a) may exercise the right of entry that is reserved to the United States and persons authorized by the United States in the patents conveying the land described in subsection (a) by occupying so much of the surface the land as may be required for purposes reasonably incident to the exploration for, and extraction and removal of, the leased minerals.

(2) CONDITION.—A person that exercises a right of entry under paragraph (1), shall, before commencing occupancy—

(A) secure the written consent or waiver of the patentee; or

(B) post a bond or other financial guarantee with the Secretary of the Interior in an amount sufficient to ensure—

(i) the completion of reclamation pursuant to the requirements of the Secretary under the Act of February 25, 1920 (30 U.S.C. 181 et seq.); and

(ii) the payment to the surface owner for—
(I) any damage to a crop or tangible improvement of the surface owner that results from activity under the mineral lease; and

(II) any permanent loss of income to the surface owner due to loss or impairment of grazing use or of other uses of the land by the surface owner at the time of commencement of activity under the mineral lease.

(c) EFFECTIVE DATE.—In the case of the land conveyed by United States patent No. 49-71-0065, this section takes effect January 1, 1997.

GORTON AMENDMENTS NOS. 3545-3551

Mr. GORTON proposed seven amendments to the bill, S. 2337, supra; as follows:

AMENDMENT NO. 3545

On page 134, line 16, insert between the words "burning" and "until" the following "on lands classified in the national forest land management plan as timber base"

On page 134, line 18, insert between the words "remove" and "all" the following: "from the proposed burn area,"

On page 134, line 19, delete the words "from the proposed burn area." and insert the words "that would otherwise be consumed by fire."

AMENDMENT NO. 3546

On page 131, line 12, insert between the words "a" and "system" the following word: "ledger".

On page 131, line 13, delete the word "information".

On page 131, line 19, insert after the word "Appropriations" the following: "and authorizing committees."

AMENDMENT NO. 3547

On page 145, strike lines 22 and 23, and insert the following in lieu thereof: "roads constructed by the timber purchaser, caused by variations in quantities, changes or modifications subsequent to the sale of timber made in accordance with applicable timber sale contract provisions, then".

And on page 147, line 24 strike the words "appraised value" and insert the following in lieu thereof: "estimated cost".

And on page 148, strike lines 15 through 22 and insert the following in lieu thereof:

"thereafter) upon the earlier of—

"(A) April 1, 1999; or

"(B) the date that is the later of—

"(i) the effective date of regulations issued by the Secretary of Agriculture to implement this section; and

"(ii) the date on which new timber sale contract provisions designed to implement this section, that have been published for public comment, are approved by the Secretary."

And on page 149, line 3, strike the comma after the word "date" and insert the following in lieu thereof: "shall remain in effect, and".

AMENDMENT NO. 3548

On page 134, line 8, delete Sec. 331, lines 8-14, and insert the following in lieu thereof:

SEC. 331. The Forest Service shall rescind its decision prohibiting the use of fixed anchors for rock climbing in wilderness areas of any National Forest. No decision to prohibit the use of such anchors in the National Forests shall be implemented until the Forest Service conducts a rulemaking to develop a national policy on the proper management of fixed climbing anchors.

AMENDMENT NO. 3549

Beginning on page 41 of the bill, line 21, following "That", strike all the language through page 42 line 5 and insert the following: "notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least eighteen months and has a balance of \$1.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the accountholder."

AMENDMENT NO. 3550

On page 16, line 13, strike "the report accompanying this bill:" and insert in lieu thereof "Senate Report 105-56:".

AMENDMENT NO. 3551

On page 32 of S. 2237, line 22, strike "funds." and insert the following: "funds: *Provided further*, That the sixth proviso under Operation of Indian Programs in Public Law 102-154, for the fiscal year ending September 30, 1992, (105 Stat. 1004), is hereby amended to read as follows: *Provided further*, That until such time as legislation is enacted to the contrary, no funds shall be used to take land into trust within the boundaries of the original Cherokee territory in Oklahoma without consultation with the Cherokee Nation:".

REID AMENDMENT NO. 3552

Mr. GORTON (for Mr. REID) proposed an amendment to the bill, S. 2237, supra; as follows:

On page 62, strike lines 6 through 13 and insert the following in lieu thereof:

Beginning on line 5, following the words "without consideration" insert: ", subject to the requirements of 43 U.S.C. 869, all right, title and interest of the land subject to all valid existing rights in the public lands located south and west of Highway 160 within Sections 32 and 33, T. 20 S., R. 54 E., Mount Diablo Meridian."

GORTON AMENDMENT NO. 3553

Mr. GORTON proposed an amendment to the bill, S. 2237, supra; As follows:

Strike line 25 on page 88 and lines 1 through 4 of page 89. Insert the following in lieu thereof:

"House of Representatives and Senate;

"(1) Proposed definitions for use with the fiscal year 2000 budget for overhead, national commitments, indirect expenses, and any other category for use of funds which are expended at any units that are not directly related to the accomplishment of specific work on the ground;

"(2) A recommendation of the amount of funds, in accordance with definitions under (1), which are appropriate to be charged to the Reforestation, Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and the Salvage Sale funds; and

"(3) A plan to incrementally adjust expenditures under (2) to this recommended level no later than September 30, 2001:

Provided further, That the Forest Service".

On page 89, strike line 18 and insert the following in lieu thereof: "budget allocation. Changes to funding levels, for appropriated funds, permanent funds and trust funds, and".

MCCAIN (AND OTHERS)

AMENDMENT NO. 3554

Mr. MCCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Mrs. SNOWE, Ms. COLLINS, and Mr. JEFFORDS) proposed an amendment to the bill, S. 2237, supra; as follows:

At the appropriate place, insert the following:

TITLE ____—CAMPAIGN FINANCE REFORM**SEC. ____01. SHORT TITLE; TABLE OF CONTENTS.**

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

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

TITLE ____—CAMPAIGN FINANCE REFORM

Sec. ____01. Short title; table of contents.

Subtitle A—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.

Subtitle B—Independent and Coordinated Expenditures**PART I—ELECTIONEERING COMMUNICATIONS**

Sec. ____200. Disclosure of electioneering communications.

Sec. ____200A. Coordinated communications as contributions.

Sec. ____200B. Prohibition of corporate and labor disbursements for electioneering communications.

PART II—INDEPENDENT AND COORDINATED EXPENDITURES

Sec. ____201. Definition of independent expenditure.

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.

Subtitle C—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.

Subtitle D—Personal Wealth Option

Sec. ____401. Voluntary personal funds expenditure limit.

Sec. ____402. Political party committee coordinated expenditures.

Subtitle E—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.

Subtitle F—Severability; Constitutionality; Effective Date; Regulations

Sec. ____601. Severability.

Sec. ____602. Review of constitutional issues.

Sec. ____603. Effective date.

Sec. ____604. Regulations.

Subtitle A—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.

Subtitle B—Independent and Coordinated

Expenditures

PART I—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 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 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.

“(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—

"(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 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 REQUIREMENTS.—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 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 new subsection:

"(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—

"(I) APPLICABLE ELECTIONEERING COMMUNICATION.—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) 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 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."

PART II—INDEPENDENT AND COORDINATED EXPENDITURES

SEC. 201. 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 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."

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 undesignated 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 co-ordinated 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 co-operation, 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”.

Subtitle C—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.”.

Subtitle D—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 or a State committee of a political party in connection with the general election campaign of the candidate under section 315(d)."

SEC. 402. POLITICAL PARTY COMMITTEE CO-ORDINATED 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))."

Subtitle E—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 unrelated 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 con-

nection 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.—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 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 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) 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 PROCEEDING.

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".

Subtitle F—Severability; Constitutionality; Effective Date; Regulations

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.

GORTON AMENDMENTS NOS. 3555–3557

Mr. BENNETT (for Mr. GORTON) proposed three amendments to the bill, S. 2237, *supra*; as follows:

AMENDMENT NO. 3555

Beginning on page 152, line 7, strike all through line 3 on page 154 and insert in lieu thereof the following:

"SEC. 343. Unless specifically authorized by Congress or with the consent of licensees for dams licensed by the Federal Energy Regulatory Commission, a Federal or State agency shall not require, approve, authorize, fund or undertake any action that would remove or breach any dam on the Federal Columbia River Power System or any dam on the Columbia or Snake Rivers or their tributaries licensed by the Federal Energy Regulatory Commission or diminish below present operational plans the Congressionally authorized uses of flood control, irrigation, navigation and electric power and energy generating capacity of any such dam."

AMENDMENT NO. 3556

Strike Section 129 of Senate bill 2237 and add the following in the nature of a substitute:

"SEC. 129. (a) In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

"(b) The Bureau of Indian Affairs shall develop alternative methods to fund TPA base programs in future years. The alternatives shall consider tribal revenues and relative

needs of tribes and tribal members. No later than April 1, 1999, the BIA shall submit a report to Congress containing its recommendations and other alternatives. The report shall also identify the methods proposed to be used by BIA to acquire data that is not currently available to BIA and any data gathering mechanisms that may be necessary to encourage tribal compliance. Notwithstanding any other provision of law, for the purposes of developing recommendations, the Bureau of Indian Affairs is hereby authorized access to tribal revenue-related data held by any Federal agency, excluding information held by the Internal Revenue Service.

"(c) Except as provided in subsection (d), tribal revenue shall include the sum of tribal net income, however derived, from any business venture owned, held, or operated, in whole or in part, by any tribal entity which is eligible to receive TPA on behalf of the members of any tribe, all amounts distributed as per capita payments which are not otherwise included in net income, and any income from fees, licenses or taxes collected by any tribe.

"(d) The calculation of tribal revenues shall exclude payments made by the Federal Government in settlement of claims or judgments and income derived from lands, natural resources, funds, and assets held in trust by the Secretary of the Interior.

"(e) In developing alternative TPA distribution methods, the Bureau of Indian Affairs will take into account the financial obligations of a tribe, such as budgeted health, education and public works service costs; its compliance, obligations and spending requirements under the Indian Gaming Regulatory Act; its compliance with the Single Audit Act; and its compact with its state".

AMENDMENT NO. 3557

Starting on page 91, line 23, strike all through the colon on page 92, line 3, and insert in lieu thereof the following:

"For necessary expenses in carrying out energy conservation activities, \$670,701,000, to remain available until expended, including, notwithstanding any other provision of law, \$64,000,000, which shall be transferred to this account from amounts held in escrow under section 3002(d) of Public Law 95-509 (15 U.S.C. 4501(d)).";

At the end of Title III, add the following new section:

"SEC. . Section 3003 of the Petroleum Overcharge Distribution and Restitution Act of 1986 (15 U.S.C. 4502) is amended by adding after subsection (d) the following new subsection:

"(e) Subsections (b), (c), and (d) of this section are repealed, and any rights that may have arisen are extinguished, on the date of the enactment of the Department of the Interior and Related Agencies Appropriations Act, 1999. After that date, the amount available for direct restitution to current and future refined petroleum product claimants under this Act is reduced by the amounts specified in title II of that Act as being derived from amounts held in escrow under section 3002(d). The Secretary shall assure that the amount remaining in escrow to satisfy refined petroleum product claims for direct restitution is allocated equitably among the claimants.";

On page 2, line 13, strike "\$600,096,000" and insert in lieu thereof the following: "\$603,396,000";

On page 5, line 20, strike "\$15,650,000" and insert "\$16,650,000";

On page 11, line 1, strike "\$624,019,000" and insert in lieu thereof the following: "\$631,019,000";

On page 12, line 21, strike "\$48,734,000" and insert in lieu thereof the following: "\$50,059,000";

On page 13, line 8, strike "\$62,120,000" and insert in lieu thereof the following: "\$63,370,000";

On page 17, line 12, strike "\$1,288,903,000" and insert in lieu thereof the following: "\$1,298,903,000";

On page 17, line 25, strike "\$48,800,000" and insert in lieu thereof the following: "\$50,800,000";

On page 18, line 25, strike "\$210,116,000" and insert in lieu thereof the following: "\$217,166,000";

On page 19, line 3, insert the following after the "...": *Provided further*, That \$500,000 may be derived from the Historic Recreation Fund, for the Hecksher Museum";

On page 19, line 17, strike "\$88,100,000" and insert in lieu thereof the following: "\$90,075,000";

On page 22, line 10, strike "\$772,115,000" and insert in lieu thereof the following: "\$773,115,000";

On page 22, line 18, strike "\$154,581,000" and insert in lieu thereof the following: "\$155,581,000";

On page 30, line 2, strike "\$1,544,695,000" and insert in lieu thereof the following: "\$1,555,295,000";

On page 30, line 21, strike "\$50,588,000" and insert in lieu thereof the following: "\$52,788,000";

On page 75, line 6, strike "\$212,927,000" and insert in lieu thereof the following: "\$214,127,000";

On page 75, line 13, strike "\$165,091,000" and insert in lieu thereof the following: "\$168,091,000";

On page 77, line 5, strike "\$353,850,000" and insert in lieu thereof the following: "\$358,840,000";

On page 96, line 25, strike "\$1,888,602,000" and insert in lieu thereof the following: "\$1,893,602,000";

On page 98, line 16, strike "\$170,190,000" and insert in lieu thereof the following: "\$175,190,000".

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, September 24, 1998 at 2:00 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 1372, to provide for the protection of farmland at the Point Reyes National Seashore, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on National Parks, Historic Preservation and Recreation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole of the subcommittee staff at (202) 224-5161.

ADDITIONAL STATEMENTS

LABOR DAY AND THE RESERVISTS' MODEL EMPLOYER PROGRAM

• Mr. CRAIG. Mr. President, as America celebrated the Labor Day holiday this past weekend, it seems appropriate to take a moment to highlight the recent efforts to renew the partnership between the National Guard and Reserve forces and their community employers. Now, more than in any recent decade, the Guard and Reserve are key to maintaining our military commitments. More than a quarter million members served in Operation Desert Storm, and more than 17,000 have been called to active duty to support operations in Bosnia.

The partnership between all employers, whether in the private or government sector, and the Reserve forces must extend beyond the 1994 Uniformed Services Employment and Reemployment Rights Act (USERRA). Communications and cooperation between employers and their employees who participate in the National Guard and Reserve must be maintained to support our military structure. Without employers' full support, it becomes much more difficult to maintain our military strength.

In Idaho, we have more than 5,400 Guard and Reservists. These men and women not only serve to support our national security, but also carry out a wide range of domestic missions. Last year, Idaho lost two Reservists who were responding to flooding emergencies. We do not forget that they paid the ultimate price to protect our community during disaster. Although we may never be able to thank our Guard and Reserve forces enough for their efforts and commitment, we can ensure that they have flexibility to serve in their units and secure employment upon their return. This renewed partnership between employers and our Guard and Reserve will do just that.

Labor Day is not just Labor's Day. It is a celebration of an all-American accomplishment and an all-American ethic. Here, the dignity of labor is not a matter of partisan politics, but civic pride. Public recognition of the partnership between individuals who serve their country and communities, and the employers who support them, is a true way to celebrate this Labor Day holiday. •

TRIBUTE TO DR. JOHNNATHAN MANN AND DR. MARY LOU MANN

• Mr. KERRY. Mr. President, I wish today to speak for a few moments about a terrible loss for the state of Massachusetts, and for all those around the world who care about our fight to cure AIDS. Among the dead in the crash of SwissAir flight 111 was a special couple, Dr. Jonathan Mann and Dr. Mary Lou Clement Mann. Both devoted their lives to finding a cure for AIDS, and today I join thousands of people all over this country and across

the world in mourning the tragedy of SwissAir flight 111 and the loss of everyone on board. Jonathan and Mary Lou Clement Mann selflessly gave of themselves and cared for patients from Zaire to New Mexico, Boston to Geneva, embodying the best of their profession by bringing hope and comfort to countless individuals and families.

Jonathan Mann was born in Boston, Massachusetts in 1947 and graduated from Harvard College in 1969. After attending the Washington University School of Medicine in St. Louis, he returned to Boston for his formal entry into the medical profession. In 1975 he joined the Centers for Disease Control as an Epidemic Intelligence Service Officer, and from 1977 to 1984 he was the State Epidemiologist and Chief Medical Officer for the state of New Mexico.

After receiving his Masters in Public Health from Harvard University in 1980, Dr. Mann returned to the CDC and it was then that AIDS became his primary, professional focus. During these years he established and directed the Zaire AIDS Research Project, which conducted the first comprehensive study of the disease on the continent where AIDS has brought the most widespread devastation and suffering. Dr. Mann's work there led him to the World Health Organization's Global Programme on AIDS in 1986, a post of global impact which he held until his return to Harvard's School of Public Health in 1990.

Dr. Mann's involvement in this issue was total; his life and the fight to find a cure for AIDS soon became, in everyone's eyes, synonymous. Beyond his professional service to the cause, he participated in the AIDS Walk in Boston, World AIDS Day, and countless events, workshops, symposiums and conferences. His ultimate foe was the stigma that was attached to AIDS victims. His only weapons in the fight against AIDS were his passion, his intellect, and his belief in the truth, and with those tools he was well armed to fight his battle on the fields not just of science, but against a public that too often fell short of the compassion and humanity that a war on AIDS required. Dr. Mann was not afraid to declare that AIDS will not be beaten as long as we stigmatize those that fall victim to it. He was one of the first and unfortunately few researchers who took AIDS seriously in the infancy of the epidemic, when AIDS was still called GRID—gay-related immunodeficiency syndrome. Jonathan and Mary Lou Mann understood that AIDS was a challenge for every community in this country and he was not afraid to speak out and criticize anyone—an administration, a society, an entire nation—who denied that truth.

Dr. Mann's work echoed from the best of human instincts: to reach out to those in need and to wield his power to alleviate suffering. We mourn the loss of Dr. Jonathan Mann and his wife Dr. Mary Lou Mann. On behalf of Massachusetts, the United States Senate, and all those who were fortunate