

CRS Report for Congress

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Campaign Finance Debate in the House: Substitute Amendments to H.R. 2183 (105th Congress)

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ABSTRACT

This report provides a summary and comparison of the 11 substitute amendments to H.R. 2183, a campaign finance reform bill offered by Representatives Hutchinson and Allen, that, under H. Res. 442, will be in order for consideration by the House. The House began consideration of the bill and these substitute amendments (as well as additional perfecting amendments) on May 21, 1998. This report is intended for use by House Members and staff in preparation for and during House debate and assumes basic familiarity with the underlying issues. It may be updated to reflect further legislative actions.

For further discussion of the issues reflected in these proposals, see two CRS overview issue briefs: *Campaign Finance: Constitutional and Legal Issues of Soft Money* (IB98025); and *Campaign Financing* (IB87020). Two of the leading House reform bills are compared with each other and current law in: *Campaign Finance Bills in the 105th Congress: Comparison of H.R. 2183 (Hutchinson-Allen), H.R. 3526 (Shays-Meehan), and Current Law* (CRS Report 98-409). The issue and express advocacy issues are discussed in: *Campaign Finance Reform: A Legal Analysis of Issue and Express Advocacy* (CRS Report 98-282). Finally, a discussion of the union dues issue is offered in: *The Use of Union Dues for Political Purposes and Agency Fee Objectors* (CRS Report 97-555).

Campaign Finance Debate in the House: Substitute Amendments to H.R. 2183 (105th Congress)

Summary

House consideration of campaign finance reform legislation began on May 21, 1998. The leadership had announced that H.R. 2183 (Hutchinson-Allen), the freshman bipartisan bill, would be the base bill and that substitute and perfecting amendments would be in order. As of the May 14 deadline, 16 substitute amendments had been filed with the Rules Committee.

Under H. Res. 442, reported by the Rules Committee on May 20, 1998 (H. Rept. 105-545) and passed by the House on May 21, two measures will be considered: H.R. 2183, the freshman bill, and H. J. Res. 119 (DeLay), a constitutional amendment to allow reasonable regulation of campaign contributions and expenditures. The rule also makes in order 11 of the 16 submitted substitute amendments. They are listed here with their numbers, in the order in which they will be considered: 16—White; 13—Shays/Meehan; 1—Bass; 7—Farr; 14—Snowbarger; 4—Obey; 2—Campbell; 15—Tierney; 12—Schaffer (CO); 5—Doolittle; and 8—Hutchinson/Allen.

This report offers a summary of the 11 substitute amendments (including Amendment No. 8, the text of H.R. 2183), as well as comparative charts on their provisions, by category (*e.g.*, soft money, issue advocacy, etc.).

Three aspects of campaign finance are most prominently reflected in these measures. The most commonly addressed issue is soft money—non-federally-regulated funds that may arguably have an impact on federal elections. Nine of the 11 measures address party soft money, with eight of the nine proposing curbs on parties' raising or spending of soft money. Five measures propose restrictions on non-party soft money, thus affecting its raising or spending by unions and corporations. The second area of concern is issue advocacy, addressed in six of these substitute amendments: five would broaden the current definition of express advocacy to regulate certain activities now classified as issue advocacy, and one would only require disclosure of such expenditures. Finally, seven measures contain provisions to improve disclosure and enforcement under federal law. In addition, a wide variety of proposals is also engendered in these measures, from a system of voluntary spending limits and public benefits in House elections (in three measures) to a proposed independent commission to study and make reform recommendations (in one measure).

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Section I. Checklist of Amendments by Types of Provisions

This section provides an easy reference table to types of provisions in each of the amendments summarized in this report, grouped into 15 categories (including “misc.”). These categories are used in the comparative tables in Section II and the summaries by amendment number in Section III. A checkmark (✓) denotes features that are contained in each amendment. For each category, reference is made to the table number in Section II where comparisons of the relevant features are presented.

A caveat should be noted regarding the classification system used in this report. For easy reference, arbitrary decisions were made as to the primary nature and goal of a particular provision. Many provisions have multiple purposes, however. For example, a bill that would raise the limit on an individual’s contributions to political parties would empower both the individual and the political party. Such a provision would be listed here under “Individual,” because it most directly affects what an individual may do, even though the parties would derive an enormous benefit as well.

In two of the three measures that propose systems of voluntary spending limits in House elections in exchange for certain benefits, some of their features are contingent upon or conditions of that system. In order to distinguish such provisions from those that would apply across-the-board to all candidates, an asterisk (*) is used in this checklist to denote them.

Table 1. Checklist of Major Provisions in Amendments, by Type

Amend. No./ sponsor	Spend./ Benefits	PACs	Indiv.	Party	Cand.	In- state	Indep. Exp.	Soft Money	Issue Advoc.	Bund.	Foreign	Study Comm.	FEC	Adv.	Misc.
<i>See Table #</i>	4	4	4	4	4	4	3	2	3	4	4	4	4	4	4
1 Bass			✓		✓		✓	✓	✓		✓		✓	✓	✓
2 Campbell		✓				✓		✓							
4 Obey	✓	✓					✓	✓	✓						✓
5 Doolittle		✓	✓	✓				✓					✓		✓
7 Farr	✓	✓	✓	✓	*		✓*	✓	✓	✓	✓		✓	✓*	✓
8 Hutchinson		✓	✓	✓				✓	✓				✓		
12 Schaffer, CO								✓							
13 Shays			✓		✓		✓	✓	✓		✓		✓	✓	✓
14 Snow- barger		✓	✓	✓				✓			✓		✓		✓
15 Tierney	✓		✓	✓			✓*	✓	✓				✓	✓*	✓
16 White												✓			

Section II. Comparison Tables

This section presents several tables with comparisons of provisions of the 11 substitute amendments in side-by-side format. For ease of presentation, they are organized as follows:

- Table 2a — compares party soft money provisions of all 11 amendments;
- Table 2b — compares non-party soft money provisions (affecting unions and corporations) of all 11 amendments;
- Table 3 — compares issue advocacy and independent expenditures provisions of all 11 amendments;
- Table 4a — compares all other types of provisions, for amendments 1, 2, 4, 5, 7, and 8; and
- Table 4b — compares all other types of provisions, for amendments 12-16.

Table 2a. Soft Money Provisions: Party

No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney
		Bans any soft money in conn. with House races						
Bans national party raising	Bans national party raising			Bans national party raising	Bans national party raising	Bans national party raising	Bans union/corp. money to parties	Bans national party raising
				Exempts grassroots activity and vote drives only if by volunteers				
Restricts state party spending	Restricts state party spending			Restricts state party spending		Restricts state party spending		Restricts state party spending
				Finances restricted state activity from hard money Grassroots Fund				Finances restricted state activity from hard money Grassroots Fund
	Bans inter-state party transfers				Bans inter-state party transfers			
Bans use in raising money						Bans use in raising money		Bans use in raising money

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No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney
Bans party raising for or giving to tax-exempts				Bans federal candidates/officials raising for tax-exempts they control that do vote drives		Bans party raising for or giving to tax-exempts		Bans party raising for or giving to tax-exempts
Bans fed. candidates/officials from raising soft money	Bans fed. candidates/officials from raising soft money			Bans federal candidates/officials from raising soft money	Bans federal candidates/officials from raising soft money	Bans federal candidates/officials from raising soft money		Bans federal candidates/officials from raising soft money
Increases disclosure			Requires disclosure of party transfers and copies of state filings	Increases disclosure		Increases disclosure		Increases disclosure
Ends bldg. fund exemption				Requires bldg. fund disclosure		Ends bldg. fund exemption		Ends bldg. fund exemption
				Exempts donations to party broadcast facilities, but requires disclosure				

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No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney
		<p>Bans non-federal funds for expenditures by: federal candidates, parties, lobbyists, contributors in affected race in same election cycle, and those who communicate with candidates on election plans, raise funds, or act in official capacity for candidates</p>						

Table 2b. Soft Money Provisions: Non-party (Corporate/Labor)

No. 1 Bass	No. 2 Campbell	No. 7 Farr	No. 12 Schaffer (CO)	No. 13 Shays	No. 14 Snowbarger
Requires written, prior authorization for union political use of member or non-member dues and for corporate political use of dues, fees, or payments as condition of employment	Requires written, prior authorization for union political use of member or non-member dues and for corporate political use of dues, fees, or payments as condition of employment		Requires written, prior authorization for union political use of member or non-member dues and for corporate political use of dues, fees, or payments as condition of employment	Codifies <i>Beck</i> decision: require greater notice to dues-paying non-union members of rights to refund of money spent on political purposes	Requires written, prior authorization for union political use of member or non-member dues and for corporate political use of dues, fees, or payments as condition of employment
Requires annual notice of expected political spending to corporate stockholders, who may then withhold percentage equal to their share of stocks	Requires corporations to give annual notice of proposed political spending to stockholders, allowing them to approve of such spending equal to their percentage share of stocks and prohibiting corporation from spending beyond the extent of submitted approvals				
Requires disclosure of all exempt activity, with \$50,000 aggregate threshold (including only internal communications referring to federal candidates)		Increases disclosure of internal communications and vote drives (exempt activities) in last 20 days of an election		Requires disclosure of all exempt activity, with \$50,000 aggregate threshold (including only internal communications referring to federal candidates)	
		Allows non-express adv. public spending for candidate appearances or debates and non-partisan voter guides			

Table 3. Issue Advocacy and Independent Expenditures Provisions

No. 1 Bass	No. 4 Obey	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 15 Tierney
Issue Advocacy					
<p>Defines express advocacy (and hence triggers full FECA coverage: disclosure, limits, source prohibitions) as communication for or against candidate by:</p> <ul style="list-style-type: none"> * explicit language that in context can have no other reasonable meaning; * paid broadcast citing a candidate within 60 days of election; or * unambiguous advocacy, taken as whole with limited reference to external events 	<p>Defines express advocacy as a communication that, when taken as a whole and with limited reference to external events, expresses support for or opposition to (or urges action regarding) specific candidates (or groupings), or that could be reasonably construed as seeking to influence an election; includes communications that identify a federal candidate (by name, image, or likeness) within 90 days of a general election</p>	<p>Defines express advocacy as a communication that, when taken as a whole and with limited reference to external events, expresses support for or opposition to, or urges action in support of or opposition to, specific candidates or group of candidates</p>		<p>Defines express advocacy (and hence triggers full FECA coverage: disclosure, limits, source prohibitions) as communication for or against candidate by:</p> <ul style="list-style-type: none"> * explicit language that in context can have no other reasonable meaning; * paid broadcast citing a candidate within 60 days of election; or * unambiguous advocacy, taken as whole with limited reference to external events 	<p>Defines express advocacy communication as one presented through public communication media and that:</p> <ul style="list-style-type: none"> * urges the election or defeat of a clearly identified federal candidate by using explicit phrases or by using slogans and words that in context can have no reasonable meaning other than election advocacy; or * refers to a clearly identified candidate, is made within 60 days of a general election, and is not solely devoted to a pending leg. issue

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No. 1 Bass	No. 4 Obey	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 15 Tierney
			Requires disclosure of expenditures on radio/TV communications referring to House/Senate candidates (by name, representation, or likeness), once over \$25,000 for 1, or \$100,000 for all, candidates per year		Requires FEC disclosure of House candidate-related issue ads (<i>i.e.</i> , that are not contributions or independent expenditures, that refer to House candidates, that are made in election year, and that recommend issue positions), including amount spent, contributors of \$1,000+, sponsor ID, and purpose of ad
			Exempts corporate/union member communications and nonpartisan voter drives	Exempts nonpartisan voter guides	
				Amends expenditure definition to incl. payment for message with express advocacy, or that refers to clearly identified candidate, is coordinated, and seeks fed. election influence	

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No. 1 Bass	No. 4 Obey	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 15 Tierney
					Provides fallback definition if held unconstitutional: that part of definition not held invalid, plus, a communication that refers to a clearly identified candidate and taken as a whole and with limited reference to external events expresses unmistakable election advocacy
Independent Expenditures					
	Prohibits independent expenditures in connection with House elections				
Defines independent expenditures as containing express advocacy and made without coordination with candidate or agent	Defines independent expenditures as containing express advocacy and made without candidate involvement, or which identify fed. candidates within 90 days of gen. election (counts payments for latter as contributions)	Defines independent expenditures as containing express advocacy and made without coordination with candidate or agent		Defines independent expenditures as containing express advocacy and made without coordination with candidate or agent	Defines independent expenditures as containing express advocacy and made without coordination with candidate or agent

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No. 1 Bass	No. 4 Obey	No. 7 Farr	No. 8 Hutchinson	No. 13 Shays	No. 15 Tierney
Tightens definition of what constitutes coordination and cooperation, and renders such activities to constitute FECA “contribution” or “expenditure”		Tightens definition of what constitutes payments in coordination with candidate		Tightens definition of what constitutes coordination and cooperation, and renders such activities to constitute FECA “contribution” or “expenditure”	Tightens definition of what constitutes payments in coordination with candidate
Increases frequency of disclosure of large amounts close to election		Increases frequency of large amount disclosure, especially close to election		Increases frequency of disclosure of large amounts close to election	Increases disclosure in connection with House Clean Money system
Includes in “contribution” definition anything of value, coordinated with candidate, whether or not it has express advocacy				Includes in “contribution” definition anything of value, coordinated with candidate, whether or not it has express advocacy	
Bans parties from making both coordinated and independent expenditures for a general election candidate		Raises party coordinated expenditure limits to match independent expenditures against party’s candidates		Bans parties from making both coordinated and independent expenditures for a general election candidate	Bans party independent expenditures for a general election candidate in cycle if party makes \$5,000+ in coordinated expenditures for that candidate
		Requires advance ad script be given to all candidates in race			
		(In voluntary limits/benefits system, raises spending limits of House candidates opposed by independent expenditures)			(In voluntary limits/benefits system, provides extra subsidies to House candidates opposed by independent expenditures)

Note: Common abbreviations used in this table: FEC (Federal Election Commission); FECA (Federal Election Campaign Act); ID (identification); PAC (political action committee)

Table 4a. Other Provisions: Amendments 1, 2, 4, 5, 7, and 8

No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson
Spending Limits/Public Benefits					
		* Voluntary limits in House general election * Only public funds and limited party money for general election candidates * Funded by tax add-on and tax on large corporations * Double subsidy if major party opponent does not participate		* Voluntary limits in House elections on election cycle and personal spending * Discount postal/broadcast rates to participants * Limits raised for runoffs, close primaries, independent expenditures, and opponent excesses * 35% tax on campaigns that exceed limits	
PACs					
	Bans PAC contributions to federal candidates		Removes PAC contribution limits	Lowers PAC contrib. limit for House candidates: \$8,000 per cycle	Indexes PAC contribution limits, as of 1999
		Imposes 20% aggregate limit on "large donor PAC" money to non-part. House general election candidates		Imposes \$200,000 aggregate PAC receipts limit for House candidates	
				Bans leadership PACs	
				Raises limit on PAC contributions to national parties: \$25,000 per year	Raises limit on PAC contributions to national parties: \$20,000 per year

No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson
Individual Citizens					
Raises aggregate annual limit: \$30,000			Removes individual contribution limits	Raises aggregate limit: \$100,000 per cycle (\$25,000 a year to candidates; \$20,000 a year to state parties)	Raises aggregate annual limit: \$50,000 (\$25,000 maximum to parties; \$25,000 to candidates and PACs)
Raises limit to state parties: \$10,000				Imposes \$200,000 aggregate receipts limit on large donors (\$200+) for House candidates	
					Indexes contribution limits, as of 1999
Political Parties					
			Removes party contribution limits	Counts state and local party contributions under single aggregate limit	Removes coordinated expenditure limits
				Designates congressional campaign committees as coordinated spending agents	Indexes contribution limits, as of 1999
				Allows merchandising card proceeds	

No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson
Candidates					
Bans party coordinated expenditures for House general election candidates who exceed \$50,000 voluntary limit on personal/family funds; fines candidates who pledge to abide by limit and exceed it				(Imposes \$50,000 limit on spending from personal and family funds, under voluntary spending limits/public benefits system)	
Specifies permissible uses, bans personal use of campaign funds					
In-State/District Provisions					
	Lowers limit on contributions to congressional candidates (to \$100) for donors who cannot vote in election				
Bundling					
				Bans bundling by connected PACs, parties, corps., unions, national banks, partnerships, sole proprietorships, lobbyists, and their agents	

No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson
Foreign Nationals					
Bans direct or indirect contributions, including soft money, to candidates and parties (retains green card exemption)				Codifies regulations banning foreign nationals' directing, controlling, or influencing any election (retains green card exemption)	
Study Commission					
FEC Disclosure and Enforcement					
Requires electronic filing, over threshold amount			Requires electronic filing		Requires electronic filing, over \$50,000 per year
Requires FEC Internet posting within 24 hours			Requires FEC Internet posting and public viewing within 24 hours		
			Requires 24 hour notice of all donations in last 90 days of election		Requires monthly candidate disclosure in election years
Bans candidate deposits of \$200+ without required information			Revokes "best efforts" exemption for identifying \$200+ contributors		Revokes "best efforts" exemption for identifying \$200+ contributors
Allows random audits					
Lowers itemization threshold: \$50					
Increases and schedules penalties					

No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson
Expedites enforcement near election					
Allows referrals to Justice Dept. at any time				Allows FEC to appear in court as <i>amicus curiae</i>	
Changes standard to start proceedings					
				Requires candidate reports on election cycle basis	
				Requires disclosure of secondary payees	
				Requires simultaneous candidate and principal campaign committee registration	
Advertising					
Augments disclaimer rules				Augments disclaimer rules	
				Changes terms for lowest unit rate	
				(Under voluntary limits/benefits system: lowers broadcast and postal rates for participants, denies lowest unit rate to non-participants, and requires equal response time to those opposed)	

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No. 1 Bass	No. 2 Campbell	No. 4 Obey	No. 5 Doolittle	No. 7 Farr	No. 8 Hutchinson
Miscellaneous					
			Ends pres. public funding		
Bans franked mailings in election year					
Includes soft money in bans on solicitation from government buildings					
Bans false representation to raise money				Bans false representation to raise money	
Curbs candidate name use				Curbs candidate name use	
Bans contributions from minors				Counts contribution by minor to parents' limits	
				Bans \$100+ cash receipts	
				Allows volunteer money advances to campaigns	
				Bans money raising in or near House chamber	
If any part of act or amendments is struck down, remainder of act and amendments is unaffected		If any part of act or amendments is struck down, requires fast-track consideration of constitutional amendment to restrict express advocacy and "independent expenditures" near election		If any part of act or amends. is struck down, rest of act/amends. is unaffected, except if part of voluntary limit/benefit section is voided, none of that section or PAC/large donor rects. limits applies	

Common abbreviations used in this table: FEC (Federal Election Commission); FECA (Federal Election Campaign Act); ID (identification); PAC (political action committee).

Table 4b. Other Provisions: Amendments 12-16

No. 12 Schaffer, CO	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney	No. 16 White
Spending Limits/Public Benefits				
			<ul style="list-style-type: none"> * Voluntary limits in House elections for election cycle * Full public funding, and free/discount broadcast time to participants in primary and general election * Extra subsidies for independent expenditures and opponent excesses * Financed with appropriated and other specified campaign funds 	
PACs				
		Removes PAC contribution limits		
Individual Citizens				
	Raises aggregate annual limit: \$30,000	Removes individual contribution limits	Imposes sub-limits in annual aggregate limit: \$25,000 to candidates; \$20,000 to state parties	
	Raises limit to state parties: \$10,000			
Political Parties				
		Removes party contribution limits	Limits party spending in publicly-funded races	

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No. 12 Schaffer, CO	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney	No. 16 White
Candidates				
	Bans party coordinated expenditures for House candidates who exceed \$50,000 voluntary personal fund limit, with fines if they violate pledge			
In-State/District Requirements				
Bundling				
Foreign Nationals				
	Bans direct or indirect contributions, including soft money, to candidates and parties (retains green card exemption)	Bans election contributions by foreign nationals or anyone not qualified to register to vote (including green card holders)		

No. 12 Schaffer, CO	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney	No. 16 White
Study Commission				
				Sets up commission to recommend campaign finance changes: 12 members appointed by President within 15 days (3 each from lists by House Speaker & minority leader and Senate majority & minority leaders; 1 of 3 an independent); proposals with 9-member vote within 180 days of 105 th Cong. adjrn.; fast-track consideration
FEC Disclosure and Enforcement				
		Doubles FEC budget authorization		
	Requires electronic filing, over threshold amount	Requires electronic filing	Requires electronic filing, and allows FAX filing	
	Requires FEC Internet posting within 24 hours	Requires FEC Internet posting within 24 hours		
		Requires 48 hour notice of \$100+ contributions in last 60 days of election		
	Bans candidate deposits of \$200+ without required information			
	Lowers itemization threshold: \$50	Removes itemization threshold for contributions		

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No. 12 Schaffer, CO	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney	No. 16 White
	Increases and schedules penalties	Increases penalties, including mandatory jail time for knowing/willful violations		
	Allows random audits		Allows random audits	
	Expedites enforcement near election		Expedites enforcement near election	
	Allows referrals to Justice Department at any time	Allows Justice Department to initiate criminal actions	Gives FEC authority to seek injunctions and petition Supreme Court	
	Changes standard to start proceedings		Changes standard to start proceedings	
			Adds 7 th FEC Commissioner, to be recommended by other 6	
			Allows subpoenas without chair or vice-chair signature	
			Requires simultaneous candidate and campaign committee registration	
Advertising				
	Augments disclaimer rules		Augments disclaimer rules	
			Bans preemption of House ads, unless beyond broadcaster control	

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No. 12 Schaffer, CO	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney	No. 16 White
			(Under voluntary Clean Money system: provides free and reduced rate broadcast time to participants, and denies lowest unit rate to non-participants)	
Miscellaneous				
	Bans franked mailings within 180 days of general or 90 days of primary		Bans franked mailings in election year	
		Bans contributions to candidates for 6 months after election, not including debt repayments		
	Includes soft money in bans on solicitation from government buildings			
	Bans false representation to raise money		Bans false representation to raise money	
	Restricts use of candidate names		Restricts use of candidate names	
	Bans contributions from minors		Counts minors' contributions toward parents' limits	
			Bans receipts of cash over \$100	
			Allows volunteer money advances to campaigns	
			Bans money raising in or near House chamber	

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No. 12 Schaffer, CO	No. 13 Shays	No. 14 Snowbarger	No. 15 Tierney	No. 16 White
	If any part of act or amendments is struck down, remainder of act and amendments is unaffected		If any part of act or amendments is struck down, remainder of act and amendments is unaffected, except for fallback definition provided under issue advocacy section (see Table 3 above)	

Note: Common abbreviations used in this table: FEC (Federal Election Commission); FECA (Federal Election Campaign Act); ID (identification); PAC (political action committee)

Section III. Summary of Amendments in Chronological Order

Section III is a chronological listing and summary of each substitute amendment. For each, the listing provides the amendment number, sponsor, title, and a detailed summary of provisions arranged by the categories used in Sections I and II.

Amendment No. 1 (Bass)

Campaign Reform Act of 1998.

Individuals. Would raise aggregate individual limit to \$30,000 per year; would raise limit on individual contributions to state parties to \$10,000 per year;

Candidates. Would specify permissible uses and prohibit personal use of campaign funds; would prohibit a party from making coordinated expenditures on behalf of a House general election candidate who does not abide by a voluntary limit of \$50,000 in total contributions and loans from personal and immediate family funds (in the primary or general election);

Independent Expenditures. Would define independent expenditure as containing express advocacy and made without coordination with a candidate, a candidate's agent, or someone coordinating with a candidate; would increase disclosure of independent expenditures; would prohibit parties from making both independent and coordinated expenditures for a general election candidate; would amend definition of "contribution" to include anything of value provided in coordination with a candidate to influence a federal election, regardless of whether it contains express advocacy; would define "provided in coordination with a candidate" to include payments made: (1) in cooperation or consultation with or at the request or suggestion of a candidate; (2) using candidate-prepared materials; (3) based on information provided by a candidate's campaign for purposes of expenditure; (4) by a spender who during that election cycle has raised funds or acted in some official position for a candidate; (5) by a spender who has used the same consultants as an affected candidate during an election cycle; (6) in coordination with a candidate to influence an election regardless of whether message contains express advocacy; (7) in communication about campaign plans; or (8) for in-kind professional services; would render such payments or communications in coordination with a candidate to be a "contribution" or "expenditure" under Federal Election Campaign Act (FECA);

Soft Money. Would prohibit national party committees from soliciting, receiving, directing, or spending soft money; would prohibit state and local party committees from spending soft money for federal election activity, including: (1) voter registration drives in last 120 days of a federal election; (2) voter identification, get-out-the-vote drives, and generic activity in connection with an election in which a federal candidate is on the ballot; and (3) communications that refer to a clearly identified federal candidate with the intent of influencing that election; would allow

state parties to spend money on specific activities exclusively devoted to non-federal elections; would prohibit party committees from using soft money to raise funds; would prohibit party committees from raising money for or giving to tax-exempt groups; would prohibit federal candidates and officeholders from raising soft money for any federal election activity; would increase disclosure requirements for party soft money; would remove building fund exemption from FECA “contribution” definition; would require unions, corporations, and national banks to disclose promptly all exempt activities (but only internal communications referring to federal candidates) once threshold level is reached; would require written, prior authorization from employees and stockholders of corporations and national banks before any money from dues, fees, or payments as a condition of employment could be used for political purposes; would require such authorization for unions’ political use of dues, fees, or payments from members or non-members; would require corporations to give annual notice of proposed political spending to stockholders, allowing them to withhold approval of such spending equal to their percentage share of stocks;

Issue Advocacy. Would define “express advocacy” communications as advocating the election or defeat of a candidate by: (1) using explicit phrases, or words or slogans that in context can have no other reasonable meaning than election advocacy; (2) referring to a candidate in a paid radio or TV broadcast ad that appears in the affected state within 60 days of the election (or, for President and Vice President, within 60 days of a general election, regardless of where the ad appears); or (3) expressing unmistakable, unambiguous election advocacy, when taken as a whole and with limited reference to external events; would exempt from express advocacy definition, educational voter guides and records that cover at least two candidates, contain no express advocacy, and are not coordinated with a candidate or party; would amend definition of expenditure under FECA to include a payment: (1) for a communication containing express advocacy, and (2) for a communication that refers to a clearly identified candidate, in coordination with a candidate or his or her agent or party, for the purpose of influencing a federal election;

Foreign. Would ban direct or indirect contributions, including soft money, by foreign nationals to candidate, party, or committee in connection with any election (retains green card exemption);

FEC. Would require electronic filing of disclosure reports by any committee exceeding a threshold level of financial activity; would require Federal Election Commission (FEC) to post disclosure information on Internet within 24 hours of receipt; would prohibit candidates from depositing contributions over \$200 unless required itemized information is complete; would allow random audits of campaigns within 12 months after an election; would lower threshold for itemizing contributions to \$50; would increase penalties for knowing and willful violations, add automatic penalties for late filing, and provide equitable remedies in conciliation agreements; would expedite enforcement; would allow FEC to refer suspected violations to Attorney General at any time; would reduce standard for enforcement proceedings;

Advertising. Would augment ad disclaimer requirements;

Miscellaneous. Would prohibit false representation to raise funds; would restrict non-candidate committee use of candidate names; would ban franked mass

mailings in Member's election year; would ban solicitation of contributions, including soft money, by federal government officials from any government building used to discharge official duties; would ban contributions by minors to candidates or parties; if any part of act or amendments is struck down, remainder of act and amendments is unaffected.

Amendment No. 2 (Campbell)

Can't Vote, Can't Contribute Campaign Reform Act of 1998.

PACs. Would prohibit federal candidates from accepting PAC contributions;

In-state. Would lower limit on contributions to House and Senate candidates by individuals who are ineligible to vote in that election, to \$100 per election;

Soft Money. Would prohibit national party solicitation, receipt, direction, or transfer of funds not subject to FECA; would prohibit state and local parties from spending soft money on mixed activities, aimed at influencing federal and non-federal activities (*e.g.*, voter registration and get-out-the-vote drives, and general political advertising); would ban soft money transfers between state parties; would prohibit federal candidates and officeholders from raising soft money in connection with a federal election, money from sources beyond federal limits and prohibitions in non-federal races, and soft money on behalf of federal candidates or for communications that identify federal candidates; would require written, prior authorization from employees and stockholders of corporations and national banks before any money from dues, fees, or payments as a condition of employment could be used for political purposes; would require such authorization for unions' political use of dues, fees, or payments from members or non-members; would require corporations to give annual notice of proposed political spending to stockholders, allowing them to approve of such spending equal to their percentage share of stocks and prohibiting corporation from spending beyond the extent of submitted approvals.

Amendment No. 4 (Obey)

Let the Public Decide Campaign Finance Reform Act.

Spending/Benefits. Would set voluntary limits on House general election spending based on median household income per district, with maximum of \$1 million for all major party candidates in highest level district and 50% of district limit per major party candidate; would set minor party and independent candidate limits, based on previous vote records or petition signatures; would allow participating general election candidates to make expenditures from two sources: (1) a Grassroots Good Citizenship Fund—financed by voluntary taxpayer donations of between \$1 and \$10,000 (doubled on joint returns) and promoted by public service announcements, and by a tax on large corporations, and (2) limited party contributions; would double amount of subsidy to a candidate if a major party opponent did not participate;

PACs. Would distinguish between large and small donor PACs (based on whether they received contributions of more than \$200 from any source), placing an

aggregate limit on non-participating House general election candidate receipts from large donor PACs of 20% of participant spending limit;

Independent Expenditures. Would prohibit independent expenditures in connection with House elections; would define independent expenditure as a communication containing express advocacy and made without a candidate's involvement, or which identifies a federal candidate (by name, image, or likeness) within 90 days of a general election; would amend definition of "contribution" to include payments for messages that identify federal candidates within 90 days of a general election but that do not contain express advocacy (as defined);

Soft Money. Would prohibit soft money in connection with House elections; would prohibit use of non-federally-permissible funds for expenditures by federal candidates, parties, lobbyists, persons making contributions in an affected race in the same election cycle, and persons who communicate with candidates about election plans or who raise funds or act in some official capacity for such candidates;

Issue Advocacy. Would define "express advocacy" as a communication that, when taken as a whole and with limited reference to external events, expresses support for or opposition to (or urges action regarding) specific candidates (or groupings), or that could be reasonably construed as seeking to influence an election; would include communications that identify a federal candidate (by name, image, or likeness) within 90 days of a general election;

Miscellaneous. If any part of the act or these amendments is ruled unconstitutional, would provide for expedited (fast-track) consideration by Congress of a constitutional amendment to allow reasonable restrictions on express advocacy communications and "independent expenditures" in last 90 days of a general election.

Amendment No. 5 (Doolittle)

Citizen Legislature and Political Freedom Act.

PACs/Individuals/Parties. Would abolish all contribution limits;

Soft Money. Would require disclosure of all national party transfers of funds to state and local parties; would require state and local parties to file copies with the FEC of any disclosure reports required under state law, regarding disbursements to state and local government entities;

FEC. Would require electronic filing of all disclosure reports; would require committees to notify FEC within 24 hours of all donations in last 90 days of election; would require FEC to post disclosed information within 24 hours on Internet and at FEC; would revoke "best efforts" exemption for identifying contributors of more than \$200 in a year;

Miscellaneous. Would terminate presidential public funding system.

Amendment No. 7 (Farr)

American Political Reform Act.

Spending/Benefits. Would require discounted broadcast rates (50% of lowest unit rate for non-preemptible time in last 30 days before a primary and 60 days before a general election) and postal rates (nonprofit third class bulk rate) for House candidates who raised 10% of cycle limit (in \$200 or less individual contributions) and who abided by limits on overall campaign spending (\$600,000 per election cycle) and on spending from personal and family funds (\$50,000); would raise limits to compensate for runoffs or for closely contested primaries (by \$200,000), and for non-participating opponents and independent expenditures in opposition to them (to the extent of such spending); would impose 35% tax on receipts by campaigns that exceed spending limits; would prohibit non-participants from receiving lowest unit broadcast rate; would require broadcasters to give participating candidates opposed by independent expenditures equal opportunity to respond;

PACs. Would lower limit on PAC contributions to House candidates to \$8,000 per election cycle (with no more than \$5,000 per election); would impose a \$200,000 aggregate limit on House PAC receipts; would prohibit leadership PACs; would increase limit on PAC contributions to national parties to \$25,000 per year;

Individuals. Would impose a \$200,000 aggregate limit on House campaign receipts from large (over \$200) individual donors; would raise aggregate individual limit to \$100,000 per election cycle, with up to \$25,000 per year to candidates and \$20,000 per year to state parties;

Parties. Would designate congressional campaign committees of national parties as principal agents responsible for coordinated expenditures; would aggregate state and local party contributions to candidates under a single limit; would allow parties to derive proceeds from merchandising and affinity cards;

Candidates. (Under limits/benefits voluntary system, would impose candidate personal and family funds limit of \$50,000);

Independent Expenditures. Would define “independent expenditure” as containing express advocacy and made without coordination with a candidate; would define “payment made in coordination with a candidate” as made if any arrangement occurs between candidate and spender, where during that election cycle the spender has raised or spent funds or acted in some official position for a candidate, or where the spender has used the same consultants as an affected candidate during an election cycle; would increase reporting requirements for independent expenditures; would require independent spenders to provide all candidates in the affected race an advance script; would allow party coordinated expenditures beyond limits to match independent expenditures against its candidates; (under voluntary limits/benefits system, would raise limits on those opposed by independent expenditures);

Soft Money. Would permit exemption from FECA definitions of “contribution” and “expenditure” of grassroots activities and materials and voter and registration drives only if conducted by volunteers; would prohibit national parties from soliciting or accepting soft money, except for transfers to state parties for strictly non-federal activities; would prohibit spending of soft money by any party committee on get-out-the-vote drives in a presidential election year or in other years not exclusively aimed at non-federal elections, any generic activity, any activity that identifies or promotes

a federal candidate, voter registration, voter files in an even-numbered year, or any activity that significantly affects a federal election; would require such activities to be funded through hard-money State Party Grassroots Funds; would allow individuals and PACs to contribute \$20,000 and \$15,000 a year, respectively, to a Grassroots Fund or to all state party committees including such a fund; would allow presidential candidate committees to transfer up to \$20 million to national party for transfer to Grassroots Funds; would exempt donations to party broadcast facilities from FECA “contribution” definition; would prohibit federal candidates and officeholders from raising soft money in connection with a federal election or from sources beyond federal limits and prohibitions in non-federal elections; would prohibit federal candidates and officeholders from raising money for a tax-exempt group under their control and involved significantly in voter registration or get-out-the-vote drives; would increase party soft money disclosure, including building and broadcast facility funds; would allow unions and corporations to make non-express advocacy public expenditures for certain candidate appearances and debates or nonpartisan voter guides; would increase reporting requirements on union/corporate internal communications and voter drives in last 20 days of election;

Issue Advocacy. Would define “express advocacy” as a communication that, when taken as a whole and with limited reference to external events, urges support for or opposition to (or action in support of or opposition to) specific candidates or group of candidates;

Bundling. Would ban bundling by connected PACs, parties, corporations, unions, national banks, partnerships or sole proprietorships, lobbyists, or their agents;

Foreign. Would codify regulations banning foreign nationals from directing, controlling, or influencing any U.S. election (retains green card exemption);

FEC. Would change candidate reporting from calendar year to election cycle basis; would require reporting by consultants to secondary payees; would require simultaneous registration by candidates and principal campaign committees; would allow FEC to appear in Court as amicus curiae;

Advertising. Would change terms for granting candidates lowest unit rate; would enhance disclaimers on broadcast ads; (under limits/benefits voluntary system, would offer lower broadcast and postal rates to participants, deny lowest unit rate to non-participants, and require equal response opportunity to those opposed);

Miscellaneous. Would count contributions of minors towards parents’ limits; would prohibit candidates’ acceptance of cash contributions over \$100; would prohibit false representation to raise funds; would allow volunteers to make limited monetary advances to campaigns; would restrict committees’ use of candidate names; would prohibit House Members from raising money in or around House chamber; if any part of act or amendments is struck down, the remainder of the act and its amendments is unaffected, except if part of voluntary limits/benefits section is voided, none of that section or PAC and large donor receipts limits would apply.

Amendment No. 8 (Hutchinson)

Bipartisan Campaign Integrity Act of 1998.

PACs. Would increase limit on PAC contributions to national parties to \$20,000 per year; would index contribution limits, beginning in 1999;

Individuals. Would increase aggregate annual contribution limit to \$50,000, with a maximum of \$25,000 in donations to parties and another \$25,000 in donations to candidates and PACs; would raise limit on donations to national party committees to \$25,000 per year; would index contribution limits, beginning in 1999;

Parties. Would repeal coordinated expenditure limits; would index contribution limits, beginning in 1999;

Soft Money. Would prohibit national party committees from raising, soliciting, directing, or spending soft money; would prohibit federal candidates and officeholders from raising soft money in connection with a federal election, money from sources beyond federal limits and prohibitions in non-federal elections, or soft money in connection with a federal candidate or for a communication that identifies a federal candidate (would exempt candidate attendance at state party fundraisers in home state); would prohibit state party non-federal transfers to other state parties;

Issue Advocacy. Would require disclosure (to Clerk of the House or Secretary of the Senate) of communications relating to federal candidates, including the amount spent and identification of spender; would trigger disclosure once spending on broadcast communications referring to federal candidates—by name, representation, or likeness—exceeds \$25,000 a year for one or \$100,000 for all federal candidates;

FEC. Would require monthly disclosure by committees during election years; would require electronic disclosure by all committees with receipts or expenditures of at least \$50,000; would remove “best efforts” exemption from disclosure requirements for donations of more than \$200.

Amendment No. 12 (Schaffer, CO)

Paycheck Protection Act.

Soft money. Would require written, prior authorization from employees or stockholders of corporations/national banks before any dues, fees, or payments as condition of employment are used for political purposes, and require pre-authorization for union political use of dues, fees, or payments from members or non-members.

Amendment No. 13 (Shays)

Bipartisan Campaign Reform Act of 1998.

Individuals. Would raise aggregate individual limit to \$30,000 per year; would raise limit on individual contributions to state parties to \$10,000 per year;

Candidates. Would specify permissible uses and prohibit personal use of campaign funds; would prohibit a party from making coordinated expenditures on behalf of a House general election candidate who does not abide by a voluntary limit of \$50,000 in total contributions and loans from personal and immediate family funds (in the primary or general election);

Independent Expenditures. Would define “independent expenditure” as containing express advocacy and made without coordination with a candidate, a candidate’s agent, or someone coordinating with a candidate; would increase disclosure of independent expenditures; would prohibit parties from making both independent and coordinated expenditures for a general election candidate; would amend definition of “contribution” to include anything of value provided in coordination with a candidate to influence a federal election, regardless of whether it contains express advocacy; would define “provided in coordination with a candidate” to include payments made: (1) in cooperation or consultation with or at the request or suggestion of a candidate; (2) using candidate-prepared materials; (3) based on information provided by a candidate’s campaign for purposes of expenditure; (4) by a spender who during that election cycle has raised funds or acted in some official position for a candidate; (5) by a spender who has used the same consultants as an affected candidate during an election cycle; (6) in coordination with a candidate to influence an election regardless of whether it contains express advocacy; (7) in communication about campaign plans; or (8) for in-kind professional services; would render such payments or communications in coordination with a candidate to be a “contribution” or “expenditure” under FECA;

Soft Money. Would prohibit national party committees from soliciting, receiving, directing, or spending soft money; would prohibit state and local party committees from spending soft money for federal election activity, including: (1) voter registration drives in last 120 days of a federal election; (2) voter identification, get-out-the-vote drives, and generic activity in connection with an election in which a federal candidate is on the ballot; and (3) communications that refer to a clearly identified federal candidate with the intent of influencing that election; would allow state parties to spend money on specific activities exclusively devoted to non-federal elections; would prohibit party committees from using soft money to raise funds; would prohibit party committees from raising money for or giving to tax-exempt groups; would prohibit federal candidates and officeholders from raising soft money for any federal election activity; would increase disclosure requirements for party soft money; would remove building fund exemption from FECA “contribution” definition; would require unions, corporations, and national banks to disclose promptly all exempt activities (but only internal communications referring to federal candidates) once threshold level is reached; would require unions to give reasonable notice to dues-paying non-members of rights to disallow political use of their funds;

Issue Advocacy. Would define “express advocacy” communications as advocating the election or defeat of a candidate by: (1) using explicit phrases, or words or slogans that in context can have no other reasonable meaning than election advocacy; (2) referring to a candidate in a paid radio or TV broadcast ad that appears in the affected state within 60 days of the election (or, for President and Vice President, within 60 days of a general election, regardless of where the ad appears); or (3) expressing unmistakable, unambiguous election advocacy, when taken as a

whole and with limited reference to external events; would exempt, from “express advocacy” definition, educational voter guides and records that cover at least two candidates, contain no express advocacy, and are not coordinated with a candidate or party; would amend definition of “expenditure” under FECA to include a payment: (1) for a communication containing express advocacy; and (2) for a communication that refers to a clearly identified candidate, in coordination with a candidate or his or her agent or party, for the purpose of influencing a federal election;

Foreign. Would ban direct or indirect contributions, including soft money, by foreign nationals to candidate, party, or committee in connection with any election (retains green card exemption);

FEC. Would require electronic filing of disclosure reports by any committee exceeding a threshold level of financial activity; would require FEC to post disclosure information on Internet within 24 hours of receipt; would prohibit candidates from depositing contributions over \$200 unless required itemized information is complete; would allow random audits of campaigns within 12 months after an election; would lower threshold for itemizing contributions to \$50; would increase penalties for violations, add automatic penalties for late filing, and provide for equitable remedies in conciliation agreements; would expedite enforcement procedures; would allow FEC to refer suspected violations to Attorney General at any time; would reduce standard to begin enforcement proceedings;

Advertising. Would augment ad disclaimer requirements;

Miscellaneous. Would prohibit false representation to raise funds; would restrict non-candidate committee use of candidate names; would ban franked mass mailings within 180 days of Member’s general election and 90 days of Member’s primary election; would ban contributions by minors to candidates or parties; would ban solicitation of contributions, including soft money, by federal government officials from any government building used to discharge official duties; if any part of act or amendments is struck down, the remainder of the act and its amendments would be unaffected.

Amendment No. 14 (Snowbarger)

Fair Elections and Political Accountability Act.

PACs. Would remove PAC contribution limits;

Individuals. Would remove individual contribution limits;

Parties. Would remove party contribution limits;

Soft Money. Would prohibit any donations from unions, corporations, or national banks to political party committees; would require pre-authorization before unions and corporations could use dues money or payments from employees or stockholders for political purposes;

Foreign. Would prohibit election contributions by any foreign national or anyone not qualified to register to vote (including green card holders);

FEC. Would require electronic filing of disclosure reports and require FEC to post information on Internet within 24 hours; would require 48-hour notice of all contributions of \$100 or more within 60 days of an election; would remove threshold for itemizing contributions; would double FEC budget authorization; would increase penalties, including mandatory jail terms, for knowing and willful violations; would allow Justice Department to initiate criminal actions for violations;

Miscellaneous. Would prohibit contributions to a candidate for six months after that candidate's election, except to pay off campaign debts.

Amendment No. 15 (Tierney)

Clean Money, Clean Elections Act.

Spending/Benefits. Would provide full public subsidies, 30 minutes of free broadcast time in a primary and 75 minutes in a general election, and additional broadcast time at 50% of the lowest unit rate for House candidates who participate in Clean Money system and spend no private funds beyond the subsidy amount once qualified; prior to qualification, would allow candidates to raise up to \$35,000 in contributions of \$100 or less for "seed money," for specified uses, but not for broadcast communications; major party candidates would qualify by raising \$5 donations from 1,500 state voters; minor party candidates would have to collect 2,250 donations; spending limit for election cycle would be 80% of the national average of winning candidates' expenditures in last three House elections; primary subsidy would be 40% of cycle limit for major party and 25% of the cycle limit for minor party candidates; general election subsidy would be 60% of cycle limit for all candidates; unopposed candidates would receive 40% of amount otherwise specified; additional subsidies would be provided to candidates opposed by independent expenditures and by non-complying opponents once such spending reached 125% of spending limit, with maximum amount of additional funds equal to 200% of such limit; non-participants would be denied existing lowest unit rate benefit; would finance benefits by House of Representatives Election Fund through appropriated funds, qualifying contributions, and unused seed money;

Individuals. Would establish sub-limits within \$25,000 annual aggregate limit of \$25,000 for donations to candidates and \$20,000 for donations to state parties;

Parties. In House races with at least one participating candidate, would limit all party spending on behalf of a candidate to 10% of the amount allotted to a clean money candidate in the general election;

Independent Expenditures. Would increase disclosure of independent expenditures involving candidates participating in clean money system; would prohibit a party from making independent expenditures for a candidate for whom it has made coordinated expenditures of more than \$5,000 in that election cycle; would define "independent expenditure" as containing express advocacy and made without coordination with a candidate; would define "payment made in coordination with a candidate" as in cooperation or consultation with or at the request or suggestion of a candidate, where candidate-prepared materials are used, where the payment is based on information provided by a candidate's campaign for purposes of expenditure, where during that election cycle the spender has raised funds or acted in some official

position for a candidate, and where the spender has used the same consultants as an affected candidate during an election cycle; (under voluntary limits/benefits system, would provide extra subsidies to candidates opposed by independent expenditures);

Soft Money. Would prohibit national party committees from soliciting, receiving, or spending soft money, except for activity exclusively devoted to non-federal elections; would prohibit state and local party committees from spending soft money in a federal election year for activities that may affect a federal election, including voter and registration drives, generic activity, and any communication that identifies a federal candidate; would require such activities to be funded through State Party Grassroots Funds; would allow individuals to contribute \$20,000 a year to a Grassroots Fund or to all state party committees including such a fund; would prohibit party committees from using soft money to raise funds; would prohibit party committees from raising money for or giving to tax-exempt groups; would prohibit federal candidates and officeholders from raising soft money in connection with a federal election, money from sources beyond federal limits and prohibitions in non-federal elections, or soft money in connection with a federal candidate or a communication that identifies a federal candidate; would increase disclosure requirements for party soft money, including for state parties; would remove building fund exemption from FECA “contribution” definition;

Issue Advocacy. Would define “express advocacy” communication as one presented through public communication media and that: (1) urges the election or defeat of a clearly identified federal candidate by using explicit phrases or by using slogans and words that in context can have no reasonable meaning other than election advocacy; or (2) refers to a clearly identified candidate, is made within 60 days of a general election, and is not solely devoted to a pending legislative issue [*fallback definition if this provision is held unconstitutional*: that portion of definition not held invalid, plus, a communication that refers to a clearly identified candidate and taken as a whole and with limited reference to external events expresses unmistakable election advocacy]; would require FEC disclosure of issue advertisements involving House candidates, including amount spent, contributors of \$1,000 or more, sponsor identification, and purpose of ad; issue ad would be defined as public communication which is not a contribution or independent expenditure, refers to House candidate, is made in election year, and recommends issue position;

FEC. Would add a seventh commissioner to FEC, as recommended by other members; would allow post-election random audits of campaigns; would give FEC authority to seek injunctions; would ease standard for opening investigations; would allow FEC to petition the Supreme Court; would expedite FEC enforcement procedures; would require electronic filing of disclosure reports and allow filing by FAX; would allow issuing of subpoena without signature of chair or vice-chair;

Advertising. Would prohibit preemption of House campaign broadcast ads, unless beyond broadcasters’ control; would augment ad disclaimer requirements; (under voluntary limits/benefits system, would provide free and reduced rate broadcast time to participants and deny lowest unit rate to non-participants);

Miscellaneous. Would ban election year franked mass mailings by a Member, unless Member is not a candidate or mailing promotes a public meeting and only

mentions the candidate's name; if any part of the act or its amendments is struck down, the remainder of the act and its amendments would be unaffected, except for fallback definition provided under issue advocacy section.

Amendment No. 16 (White)

Independent Commission on Campaign Finance Reform Act of 1998.

Commission. Would establish temporary commission to study campaign finance issues and recommend changes, based on goals of encouraging fair and open elections, eliminating disproportionate special interest election financing, and creating greater incumbent-challenger equity; commission would comprise 12 members appointed by President within 15 days of enactment, including three names each from lists submitted by the House Speaker and minority leader and Senate majority and minority leaders (one of each three selected names must be a political independent, as defined), with one of the 12 designated as chairman by President; proposals must be approved by at least nine members, submitted (in legislative form) within 180 days of adjournment of the 105th Congress, and considered under fast-track (base-closing) rules.

