

115TH CONGRESS  
1ST SESSION

# S. 1931

To reform public financing for Presidential elections and provide for public financing for Congressional elections.

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2017

Mr. UDALL introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

---

## A BILL

To reform public financing for Presidential elections and provide for public financing for Congressional elections.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Empowering Citizens Act”.

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

Sec. 1. Short title; table of contents.

### TITLE I—PRIMARY ELECTIONS

Sec. 1001. Increase in and modifications to matching payments.

Sec. 1002. Eligibility requirements for matching payments.

Sec. 1003. Repeal of expenditure limitations.

- Sec. 1004. Period of availability of matching payments.
- Sec. 1005. Examination and audits of matchable contributions.
- Sec. 1006. Modification to limitation on contributions for Presidential primary candidates.

## TITLE II—GENERAL ELECTIONS

- Sec. 2001. Modification of eligibility requirements for public financing.
- Sec. 2002. Repeal of expenditure limitations and use of qualified campaign contributions.
- Sec. 2003. Matching payments and other modifications to payment amounts.
- Sec. 2004. Increase in limit on coordinated party expenditures.
- Sec. 2005. Establishment of uniform date for release of payments.
- Sec. 2006. Amounts in Presidential Election Campaign Fund.
- Sec. 2007. Use of general election payments for general election legal and accounting compliance.

## TITLE III—PUBLIC FINANCING FOR CONGRESSIONAL ELECTION CAMPAIGNS

- Sec. 3001. Benefits and eligibility requirements for Congressional candidates.
- Sec. 3002. Permitting unlimited coordinated expenditures by political party committees on behalf of participating candidates if expenditures are derived from small dollar contributions.
- Sec. 3003. Prohibiting use of contributions by participating candidates for purposes other than campaign for election.

## TITLE IV—USE OF PRESIDENTIAL ELECTION CAMPAIGN FUND FOR PUBLIC FINANCING OF FEDERAL ELECTIONS

- Sec. 4001. Use of Presidential Election Campaign Fund for Congressional candidates.
- Sec. 4002. Revisions to designation of income tax payments by individual taxpayers.
- Sec. 4003. Donation to Presidential Election Campaign Fund.

## TITLE V—OTHER CAMPAIGN FINANCE REFORMS

- Sec. 5001. Regulations with respect to best efforts for identifying persons making contributions.
- Sec. 5002. Rules relating to joint fundraising committees.
- Sec. 5003. Disclosure of bundled contributions to Presidential campaigns; increase in threshold for bundled contributions by lobbyists.
- Sec. 5004. Repeal of special contribution limits for contributions to national parties for certain purposes.
- Sec. 5005. Judicial review of actions related to campaign finance laws.
- Sec. 5006. Treatment of internet communications made by political committees as public communications.
- Sec. 5007. Application of limitations on contributions to political committees making only independent expenditures.

## TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 6001. Severability.
- Sec. 6002. Effective date.

# 1    **TITLE I—PRIMARY ELECTIONS**

## 2    **SEC. 1001. INCREASE IN AND MODIFICATIONS TO MATCH-** 3        **ING PAYMENTS.**

4        (a) INCREASE AND MODIFICATION.—

5            (1) IN GENERAL.—The first sentence of section  
 6        9034(a) of the Internal Revenue Code of 1986 is  
 7        amended—

8            (A) by striking “an amount equal to the  
 9            amount of each contribution” and inserting “an  
 10          amount equal to 600 percent of the amount of  
 11          each matchable contribution (disregarding any  
 12          amount of contributions from any person to the  
 13          extent that the total of the amounts contributed  
 14          by such person for the election exceeds \$200)”;  
 15          and

16          (B) by striking “authorized committees”  
 17          and all that follows through “\$250” and insert-  
 18          ing “authorized committees”.

19          (2) MATCHABLE CONTRIBUTIONS.—Section  
 20        9034 of such Code is amended—

21            (A) by striking the last sentence of sub-  
 22            section (a); and

23            (B) by inserting after subsection (b) the  
 24            following new subsection:

1       “(c) MATCHABLE CONTRIBUTION DEFINED.—For  
2 purposes of this section and section 9033(b)—

3               “(1) MATCHABLE CONTRIBUTION.—The term  
4 ‘matchable contribution’ means, with respect to the  
5 nomination for election to the office of President of  
6 the United States, a contribution by an individual to  
7 a candidate or an authorized committee of a can-  
8 didate with respect to which the candidate has cer-  
9 tified in writing that—

10               “(A) the individual making such contribu-  
11 tion has not made aggregate contributions (in-  
12 cluding such matchable contribution) to such  
13 candidate and the authorized committees of  
14 such candidate in excess of \$1,000 for the elec-  
15 tion;

16               “(B) such candidate and the authorized  
17 committees of such candidate will not accept  
18 contributions from such individual (including  
19 such matchable contribution) aggregating more  
20 than the amount described in subparagraph  
21 (A); and

22               “(C) such contribution was not—

23               “(i) forwarded from the contributor  
24 by any person other than an individual, or

1 “(ii) received by the candidate or com-  
 2 mittee from a contributor or contributors,  
 3 but credited by the committee or candidate  
 4 to another person who is not an individual  
 5 through records, designations, or other  
 6 means of recognizing (whether in writing  
 7 or not in writing) that a certain amount of  
 8 money has been raised by such person.

9 “(2) CONTRIBUTION.—For purposes of this  
 10 subsection, the term ‘contribution’ means a gift of  
 11 money made by a written instrument which identi-  
 12 fies the individual making the contribution by full  
 13 name and mailing address, but does not include a  
 14 subscription, loan, advance, or deposit of money, or  
 15 anything of value or anything described in subpara-  
 16 graph (B), (C), or (D) of section 9032(4).”.

17 (3) CONFORMING AMENDMENTS.—

18 (A) Section 9032(4) of such Code is  
 19 amended by striking “section 9034(a)” and in-  
 20 serting “section 9034”.

21 (B) Section 9033(b)(3) of such Code is  
 22 amended by striking “matching contributions”  
 23 and inserting “matchable contributions”.

24 (b) MODIFICATION OF PAYMENT LIMITATION.—

1 (1) IN GENERAL.—Section 9034(b) of such  
2 Code is amended—

3 (A) by striking “Every” and inserting the  
4 following:

5 “(1) IN GENERAL.—Every”,

6 (2) by striking “shall not exceed” and all that  
7 follows and inserting “shall not exceed  
8 \$300,000,000.”, and

9 (3) by adding at the end the following new  
10 paragraph:

11 “(3) INFLATION ADJUSTMENT.—

12 “(A) IN GENERAL.—In the case of any ap-  
13 plicable period beginning after 2019, the dollar  
14 amount in paragraph (1) shall be increased by  
15 an amount equal to—

16 “(i) such dollar amount, multiplied by

17 “(ii) the cost-of-living adjustment de-  
18 termined under section 1(f)(3) for the cal-  
19 endar year following the year which such  
20 applicable period begins, determined by  
21 substituting ‘calendar year 2018’ for ‘cal-  
22 endar year 1992’ in subparagraph (B)  
23 thereof.

24 “(B) APPLICABLE PERIOD.—For purposes  
25 of this paragraph, the term ‘applicable period’

1 means the 4-year period beginning with the  
 2 first day following the date of the general elec-  
 3 tion for the office of President and ending on  
 4 the date of the next such general election.

5 “(C) ROUNDING.—If any amount as ad-  
 6 justed under subparagraph (1) is not a multiple  
 7 of \$10,000, such amount shall be rounded to  
 8 the nearest multiple of \$10,000.”.

9 **SEC. 1002. ELIGIBILITY REQUIREMENTS FOR MATCHING**  
 10 **PAYMENTS.**

11 (a) AMOUNT OF AGGREGATE CONTRIBUTIONS PER  
 12 STATE; DISREGARDING OF AMOUNTS CONTRIBUTED IN  
 13 EXCESS OF \$200.—Section 9033(b)(3) of the Internal  
 14 Revenue Code of 1986 is amended—

15 (1) by striking “\$5,000” and inserting  
 16 “\$25,000”; and

17 (2) by striking “20 States” and inserting the  
 18 following: “20 States (disregarding any amount of  
 19 contributions from any such resident to the extent  
 20 that the total of the amounts contributed by such  
 21 resident for the election exceeds \$200)”.

22 (b) CONTRIBUTION LIMIT.—

23 (1) IN GENERAL.—Paragraph (4) of section  
 24 9033(b) of such Code is amended to read as follows:

1           “(4) the candidate and the authorized commit-  
 2           tees of the candidate will not accept aggregate con-  
 3           tributions from any person with respect to the nomi-  
 4           nation for election to the office of President of the  
 5           United States in excess of \$1,000 for the election.”.

6           (2) CONFORMING AMENDMENTS.—

7                   (A) Section 9033(b) of such Code is  
 8                   amended by adding at the end the following  
 9                   new flush sentence:  
 10           “For purposes of paragraph (4), the term ‘contribution’  
 11           has the meaning given such term in section 301(8) of the  
 12           Federal Election Campaign Act of 1971.”.

13                   (B) Section 9032(4) of such Code, as  
 14                   amended by section 1001(a)(3)(A) is amended  
 15                   by inserting “or 9033(b)” after “9034”.

16           (c) BAN ON ACCEPTANCE OF BUNDLED CONTRIBU-  
 17           TIONS.—Section 9033(b) of such Code, as amended by  
 18           subsection (b), is amended—

19                   (1) by striking “and” at the end of paragraph  
 20                   (3);

21                   (2) by striking the period at the end of para-  
 22                   graph (4) and inserting “, and”; and

23                   (3) by adding at the end the following new  
 24                   paragraph:

1 “(5) the candidate and the authorized com-  
 2 mittee of the candidate will not accept any bundled  
 3 contribution (as defined in section 304(i)(8) of the  
 4 Federal Election Campaign Act of 1971) forwarded  
 5 by or credited to a person described in section  
 6 304(i)(7) of such Act.”.

7 (d) PARTICIPATION IN SYSTEM FOR PAYMENTS FOR  
 8 GENERAL ELECTION.—Section 9033(b) of such Code, as  
 9 amended by subsection (c), is amended—

10 (1) by striking “and” at the end of paragraph  
 11 (4);

12 (2) by striking the period at the end of para-  
 13 graph (5) and inserting “, and”; and

14 (3) by adding at the end the following new  
 15 paragraph:

16 “(6) if the candidate is nominated by a political  
 17 party for election to the office of President, the can-  
 18 didate will apply for and accept payments with re-  
 19 spect to the general election for such office in ac-  
 20 cordance with chapter 95.”.

21 **SEC. 1003. REPEAL OF EXPENDITURE LIMITATIONS.**

22 (a) IN GENERAL.—Subsection (a) of section 9035 of  
 23 the Internal Revenue Code of 1986 is amended to read  
 24 as follows:

1       “(a) PERSONAL EXPENDITURE LIMITATION.—No  
 2 candidate shall knowingly make expenditures from his per-  
 3 sonal funds, or the personal funds of his immediate family,  
 4 in connection with his campaign for nomination for elec-  
 5 tion to the office of President in excess of, in the aggre-  
 6 gate, \$50,000.”.

7       (b) CONFORMING AMENDMENT.—Paragraph (1) of  
 8 section 9033(b) of the Internal Revenue Code of 1986 is  
 9 amended to read as follows:

10               “(1) the candidate will comply with the per-  
 11 sonal expenditure limitation under section 9035,”.

12 **SEC. 1004. PERIOD OF AVAILABILITY OF MATCHING PAY-**  
 13 **MENTS.**

14       Section 9032(6) of the Internal Revenue Code of  
 15 1986 is amended by striking “the beginning of the cal-  
 16 endar year in which a general election for the office of  
 17 President of the United States will be held” and inserting  
 18 “the date that is 6 months prior to the date of the earliest  
 19 State primary election”.

20 **SEC. 1005. EXAMINATION AND AUDITS OF MATCHABLE CON-**  
 21 **TRIBUTIONS.**

22       Section 9038(a) of the Internal Revenue Code of  
 23 1986 is amended by inserting “and matchable contribu-  
 24 tions accepted by” after “qualified campaign expenses of”.

1 **SEC. 1006. MODIFICATION TO LIMITATION ON CONTRIBU-**  
 2 **TIONS FOR PRESIDENTIAL PRIMARY CAN-**  
 3 **DIDATES.**

4 Section 315(a)(6) of the Federal Election Campaign  
 5 Act of 1971 (52 U.S.C. 30116(a)(6)) is amended by strik-  
 6 ing “calendar year” and inserting “four-year election  
 7 cycle”.

8 **TITLE II—GENERAL ELECTIONS**

9 **SEC. 2001. MODIFICATION OF ELIGIBILITY REQUIREMENTS**  
 10 **FOR PUBLIC FINANCING.**

11 Subsection (a) of section 9003 of the Internal Rev-  
 12 enue Code of 1986 is amended to read as follows:

13 “(a) IN GENERAL.—In order to be eligible to receive  
 14 any payments under section 9006, the candidates of a po-  
 15 litical party in a presidential election shall meet the fol-  
 16 lowing requirements:

17 “(1) PARTICIPATION IN PRIMARY PAYMENT  
 18 SYSTEM.—The candidate for President received pay-  
 19 ments under chapter 96 for the campaign for nomi-  
 20 nation for election to be President.

21 “(2) AGREEMENTS WITH COMMISSION.—The  
 22 candidates, in writing—

23 “(A) agree to obtain and furnish to the  
 24 Commission such evidence as it may request of  
 25 the qualified campaign expenses of such can-  
 26 didates,

1           “(B) agree to keep and furnish to the  
2           Commission such records, books, and other in-  
3           formation as it may request, and

4           “(C) agree to an audit and examination by  
5           the Commission under section 9007 and to pay  
6           any amounts required to be paid under such  
7           section.

8           “(3) BAN ON BUNDLED CONTRIBUTIONS.—The  
9           candidates certify to the Commission, under penalty  
10          of perjury and within such time prior to the day of  
11          the presidential election as the Commission shall  
12          prescribe by rules or regulations, that the candidates  
13          and the authorized committees of such candidates  
14          will not accept any bundled contribution (as defined  
15          in section 304(i)(8) of the Federal Election Cam-  
16          paign Act of 1971) forwarded by or credited to a  
17          person described in section 304(i)(7) of such Act.”.

18 **SEC. 2002. REPEAL OF EXPENDITURE LIMITATIONS AND**  
19 **USE OF QUALIFIED CAMPAIGN CONTRIBU-**  
20 **TIONS.**

21          (a) USE OF QUALIFIED CAMPAIGN CONTRIBUTIONS  
22 WITHOUT EXPENDITURE LIMITS; APPLICATION OF SAME  
23 REQUIREMENTS FOR MAJOR, MINOR, AND NEW PAR-  
24 TIES.—Section 9003 of the Internal Revenue Code of

1 1986 is amended by striking subsections (b) and (c) and  
 2 inserting the following:

3 “(b) USE OF QUALIFIED CAMPAIGN CONTRIBUTIONS  
 4 TO DEFRAY EXPENSES.—

5 “(1) IN GENERAL.—In order to be eligible to  
 6 receive any payments under section 9006, the can-  
 7 didates of a party in a presidential election shall cer-  
 8 tify to the Commission, under penalty of perjury,  
 9 that—

10 “(A) such candidates and their authorized  
 11 committees have not and will not accept any  
 12 contributions to defray qualified campaign ex-  
 13 penses other than—

14 “(i) qualified campaign contributions,  
 15 and

16 “(ii) contributions to the extent nec-  
 17 essary to make up any deficiency payments  
 18 received out of the fund on account of the  
 19 application of section 9006(c), and

20 “(B) such candidates and their authorized  
 21 committees have not and will not accept any  
 22 contribution to defray expenses which would be  
 23 qualified campaign expenses but for subpara-  
 24 graph (C) of section 9002(11).

1           “(2) TIMING OF CERTIFICATION.—The can-  
 2       didate shall make the certification required under  
 3       this subsection at the same time the candidate  
 4       makes the certification required under subsection  
 5       (a)(3).”.

6       (b) DEFINITION OF QUALIFIED CAMPAIGN CON-  
 7       TRIBUTION.—Section 9002 of such Code is amended by  
 8       adding at the end the following new paragraph:

9           “(13) QUALIFIED CAMPAIGN CONTRIBUTION.—  
 10      The term ‘qualified campaign contribution’ means,  
 11      with respect to any election for the office of Presi-  
 12      dent of the United States, a contribution from an in-  
 13      dividual to a candidate or an authorized committee  
 14      of a candidate which—

15               “(A) does not exceed \$1,000 for the elec-  
 16               tion; and

17               “(B) with respect to which the candidate  
 18               has certified in writing that—

19                       “(i) the individual making such con-  
 20                       tribution has not made aggregate contribu-  
 21                       tions (including such qualified contribu-  
 22                       tion) to such candidate and the authorized  
 23                       committees of such candidate in excess of  
 24                       the amount described in subparagraph (A),  
 25                       and

“(ii) such candidate and the authorized committees of such candidate will not accept contributions from such individual (including such qualified contribution) aggregating more than the amount described in subparagraph (A) with respect to such election.”.

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF EXPENDITURE LIMITS.—

(A) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116) is amended by striking subsection (b).

(B) CONFORMING AMENDMENTS.—Section 315(c) of such Act (52 U.S.C. 30116(c)) is amended—

(i) in paragraph (1)(B)(i), by striking “, (b)”;

(ii) in paragraph (2)(B)(i), by striking “subsections (b) and (d)” and inserting “subsection (d)”.

(2) REPEAL OF REPAYMENT REQUIREMENT.—

(A) IN GENERAL.—Section 9007(b) of the Internal Revenue Code of 1986 is amended by striking paragraph (2) and redesignating para-

graphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(B) CONFORMING AMENDMENT.—Paragraph (2) of section 9007(b) of such Code, as redesignated by subparagraph (A), is amended—

(i) by striking “a major party” and inserting “a party”;

(ii) by inserting “qualified contributions and” after “contributions (other than”; and

(iii) by striking “(other than qualified campaign expenses with respect to which payment is required under paragraph (2))”.

(3) CRIMINAL PENALTIES.—

(A) REPEAL OF PENALTY FOR EXCESS EXPENSES.—Section 9012 of the Internal Revenue Code of 1986 is amended by striking subsection (a).

(B) PENALTY FOR ACCEPTANCE OF DISALLOWED CONTRIBUTIONS; APPLICATION OF SAME PENALTY FOR CANDIDATES OF MAJOR, MINOR, AND NEW PARTIES.—Subsection (b) of

1           section 9012 of such Code is amended to read  
2           as follows:

3           “(b) CONTRIBUTIONS.—

4           “(1) ACCEPTANCE OF DISALLOWED CONTRIBU-  
5           TIONS.—It shall be unlawful for an eligible can-  
6           didate of a party in a presidential election or any of  
7           his authorized committees knowingly and willfully to  
8           accept any contribution to defray qualified campaign  
9           expenses, except to the extent necessary to make up  
10          any deficiency in payments received out of the fund  
11          on account of the application of section 9006(c), or  
12          to defray expenses which would be qualified cam-  
13          paign expenses but for subparagraph (C) of section  
14          9002(11).

15          “(2) PENALTY.—Any person who violates para-  
16          graph (1) shall be fined not more than \$5,000, or  
17          imprisoned not more than one year, or both. In the  
18          case of a violation by an authorized committee, any  
19          officer or member of such committee who knowingly  
20          and willfully consents to such violation shall be fined  
21          not more than \$5,000, or imprisoned not more than  
22          one year, or both.”.

23   **SEC. 2003. MATCHING PAYMENTS AND OTHER MODIFICA-**  
24                           **TIONS TO PAYMENT AMOUNTS.**

25          (a) IN GENERAL.—

1           (1) AMOUNT OF PAYMENTS; APPLICATION OF  
 2       SAME AMOUNT FOR CANDIDATES OF MAJOR, MINOR,  
 3       AND NEW PARTIES.—Subsection (a) of section 9004  
 4       of the Internal Revenue Code of 1986 is amended to  
 5       read as follows:

6       “(a) IN GENERAL.—Subject to the provisions of this  
 7       chapter, the eligible candidates of a party in a presidential  
 8       election shall be entitled to equal payment under section  
 9       9006 in an amount equal to 600 percent of the amount  
 10      of each matchable contribution received by such candidate  
 11      or by the candidate’s authorized committees (disregarding  
 12      any amount of contributions from any person to the extent  
 13      that the total of the amounts contributed by such person  
 14      for the election exceeds \$200), except that total amount  
 15      to which a candidate is entitled under this paragraph shall  
 16      not exceed \$300,000,000.”.

17           (2) REPEAL OF SEPARATE LIMITATIONS FOR  
 18      CANDIDATES OF MINOR AND NEW PARTIES; INFLA-  
 19      TION ADJUSTMENT.—Subsection (b) of section 9004  
 20      of such Code is amended to read as follows:

21      “(b) INFLATION ADJUSTMENT.—

22           “(1) IN GENERAL.—In the case of any applica-  
 23      ble period beginning after 2019, the \$300,000,000  
 24      dollar amount in subsection (a) shall be increased by  
 25      an amount equal to—

1 “(A) such dollar amount; multiplied by

2 “(B) the cost-of-living adjustment deter-  
 3 mined under section 1(f)(3) for the calendar  
 4 year following the year which such applicable  
 5 period begins, determined by substituting ‘cal-  
 6 endar year 2018’ for ‘calendar year 1992’ in  
 7 subparagraph (B) thereof.

8 “(2) APPLICABLE PERIOD.—For purposes of  
 9 this subsection, the term ‘applicable period’ means  
 10 the 4-year period beginning with the first day fol-  
 11 lowing the date of the general election for the office  
 12 of President and ending on the date of the next such  
 13 general election.

14 “(3) ROUNDING.—If any amount as adjusted  
 15 under paragraph (1) is not a multiple of \$10,000,  
 16 such amount shall be rounded to the nearest mul-  
 17 tiple of \$10,000.”.

18 (3) CONFORMING AMENDMENT.—Section  
 19 9005(a) of such Code is amended by adding at the  
 20 end the following new sentence: “The Commission  
 21 shall make such additional certifications as may be  
 22 necessary to receive payments under section 9004.”.

23 (b) MATCHABLE CONTRIBUTION.—Section 9002 of  
 24 such Code, as amended by section 2002, is amended by  
 25 adding at the end the following new paragraph:

1           “(14) MATCHABLE CONTRIBUTION.—The term  
2           ‘matchable contribution’ means, with respect to the  
3           election to the office of President of the United  
4           States, a contribution by an individual to a can-  
5           didate or an authorized committee of a candidate  
6           with respect to which the candidate has certified in  
7           writing that—

8                   “(A) the individual making such contribu-  
9                   tion has not made aggregate contributions (in-  
10                  cluding such matchable contribution) to such  
11                  candidate and the authorized committees of  
12                  such candidate in excess of \$1,000 for the elec-  
13                  tion;

14                  “(B) such candidate and the authorized  
15                  committees of such candidate will not accept  
16                  contributions from such individual (including  
17                  such matchable contribution) aggregating more  
18                  than the amount described in subparagraph (A)  
19                  with respect to such election; and

20                  “(C) such contribution was not—

21                          “(i) forwarded from the contributor  
22                          by any person other than an individual, or

23                          “(ii) received by the candidate or com-  
24                          mittee from a contributor or contributors,  
25                          but credited by the committee or candidate

1 to another person who is not an individual  
 2 through records, designations, or other  
 3 means of recognizing (whether in writing  
 4 or not in writing) that a certain amount of  
 5 money has been raised by such person.”.

6 **SEC. 2004. INCREASE IN LIMIT ON COORDINATED PARTY**  
 7 **EXPENDITURES.**

8 (a) IN GENERAL.—Section 315(d)(2) of the Federal  
 9 Election Campaign Act of 1971 (52 U.S.C. 30116(d)(2))  
 10 is amended to read as follows:

11 “(2)(A) The national committee of a political party  
 12 may not make any expenditure in connection with the gen-  
 13 eral election campaign of any candidate for President of  
 14 the United States who is affiliated with such party which  
 15 exceeds \$100,000,000.

16 “(B) For purposes of this paragraph—

17 “(i) any expenditure made by or on behalf of a  
 18 national committee of a political party and in con-  
 19 nection with a presidential election shall be consid-  
 20 ered to be made in connection with the general elec-  
 21 tion campaign of a candidate for President of the  
 22 United States who is affiliated with such party; and

23 “(ii) any communication made by or on behalf  
 24 of such party shall be considered to be made in con-  
 25 nection with the general election campaign of a can-

1       didate for President of the United States who is af-  
 2       filiated with such party if any portion of the commu-  
 3       nication is in connection with such election.

4       “(C) Any expenditure under this paragraph shall be  
 5       in addition to any expenditure by a national committee  
 6       of a political party serving as the principal campaign com-  
 7       mittee of a candidate for the office of President of the  
 8       United States.”.

9       (b) CONFORMING AMENDMENTS RELATING TO TIM-  
 10      ING OF COST-OF-LIVING ADJUSTMENT.—

11           (1) IN GENERAL.—Section 315(c)(1) of such  
 12      Act (52 U.S.C. 30116(c)(1)), as amended by section  
 13      2002(c)(1)(B), is amended—

14                   (A) in subparagraph (B), by striking “(d)”  
 15                   and inserting “(d)(3)”; and

16                   (B) by inserting at the end the following  
 17                   new subparagraph:

18      “(D) In any calendar year after 2018—

19                   “(i) the dollar amount in subsection (d)(2) shall  
 20                   be increased by the percent difference determined  
 21                   under subparagraph (A);

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

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

4 (2) BASE YEAR.—Section 315(c)(2)(B) of such  
 5 Act (52 U.S.C. 30116(c)(2)(B)), as amended by sec-  
 6 tion 2002(c)(1)(B), is amended—

7 (A) in clause (i)—

8 (i) by striking “(d)” and inserting  
 9 “(d)(3)”; and

10 (ii) by striking “and” at the end;

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

13 (C) by adding at the end the following new  
 14 clause:

15 “(iii) for purposes of subsection (d)(2), cal-  
 16 endar year 2017.”.

17 **SEC. 2005. ESTABLISHMENT OF UNIFORM DATE FOR RE-**  
 18 **LEASE OF PAYMENTS.**

19 (a) DATE FOR PAYMENTS.—

20 (1) IN GENERAL.—Section 9006(b) of the In-  
 21 ternal Revenue Code of 1986 is amended to read as  
 22 follows:

23 “(b) PAYMENTS FROM THE FUND.—If the Secretary  
 24 of the Treasury receives a certification from the Commis-  
 25 sion under section 9005 for payment to the eligible can-

1 didates of a political party, the Secretary shall pay to such  
 2 candidates out of the fund the amount certified by the  
 3 Commission on the later of—

4 “(1) the last Friday occurring before the first  
 5 Monday in September; or

6 “(2) 24 hours after receiving the certifications  
 7 for the eligible candidates of all major political par-  
 8 ties.

9 Amounts paid to any such candidates shall be under the  
 10 control of such candidates.”.

11 (2) CONFORMING AMENDMENT.—The first sen-  
 12 tence of section 9006(c) of such Code is amended by  
 13 striking “the time of a certification by the Commis-  
 14 sion under section 9005 for payment” and inserting  
 15 “the time of making a payment under subsection  
 16 (b)”.

17 (b) TIME FOR CERTIFICATION.—Section 9005(a) of  
 18 the Internal Revenue Code of 1986 is amended by striking  
 19 “10 days” and inserting “24 hours”.

20 **SEC. 2006. AMOUNTS IN PRESIDENTIAL ELECTION CAM-**  
 21 **PAIGN FUND.**

22 (a) DETERMINATION OF AMOUNTS IN FUND.—Sec-  
 23 tion 9006(c) of the Internal Revenue Code of 1986 is  
 24 amended by adding at the end the following new sentence:  
 25 “In making a determination of whether there are insuffi-

1 cient moneys in the fund for purposes of the previous sen-  
 2 tence, the Secretary shall take into account in determining  
 3 the balance of the fund for a Presidential election year  
 4 the Secretary's best estimate of the amount of moneys  
 5 which will be deposited into the fund during the year, ex-  
 6 cept that the amount of the estimate may not exceed the  
 7 average of the annual amounts deposited in the fund dur-  
 8 ing the previous 3 years.”.

9 (b) SPECIAL RULE FOR FIRST CAMPAIGN CYCLE  
 10 UNDER THIS ACT.—

11 (1) IN GENERAL.—Section 9006 of the Internal  
 12 Revenue Code of 1986 is amended by adding at the  
 13 end the following new subsection:

14 “(d) SPECIAL AUTHORITY TO BORROW.—

15 “(1) IN GENERAL.—Notwithstanding subsection  
 16 (c), there are authorized to be appropriated to the  
 17 fund, as repayable advances, such sums as are nec-  
 18 essary to carry out the purposes of the fund during  
 19 the period ending on the first presidential election  
 20 occurring after the date of the enactment of this  
 21 subsection.

22 “(2) REPAYMENT OF ADVANCES.—

23 “(A) IN GENERAL.—Advances made to the  
 24 fund shall be repaid, and interest on such ad-  
 25 vances shall be paid, to the general fund of the

1 Treasury when the Secretary determines that  
 2 moneys are available for such purposes in the  
 3 fund.

4 “(B) RATE OF INTEREST.—Interest on ad-  
 5 vances made to the fund shall be at a rate de-  
 6 termined by the Secretary of the Treasury (as  
 7 of the close of the calendar month preceding the  
 8 month in which the advance is made) to be  
 9 equal to the current average market yield on  
 10 outstanding marketable obligations of the  
 11 United States with remaining periods to matu-  
 12 rity comparable to the anticipated period during  
 13 which the advance will be outstanding and shall  
 14 be compounded annually.”.

15 (2) EFFECTIVE DATE.—The amendment made  
 16 by this subsection shall take effect January 1, 2018.

17 **SEC. 2007. USE OF GENERAL ELECTION PAYMENTS FOR**  
 18 **GENERAL ELECTION LEGAL AND ACCOUNT-**  
 19 **ING COMPLIANCE.**

20 Section 9002(11) of the Internal Revenue Code of  
 21 1986 is amended by adding at the end the following new  
 22 sentence: “For purposes of subparagraph (A), an expense  
 23 incurred by a candidate or authorized committee for gen-  
 24 eral election legal and accounting compliance purposes

1 shall be considered to be an expense to further the election  
 2 of such candidate.”.

3 **TITLE III—PUBLIC FINANCING**  
 4 **FOR CONGRESSIONAL ELEC-**  
 5 **TION CAMPAIGNS**

6 **SEC. 3001. BENEFITS AND ELIGIBILITY REQUIREMENTS**  
 7 **FOR CONGRESSIONAL CANDIDATES.**

8 The Federal Election Campaign Act of 1971 (52  
 9 U.S.C. 30101 et seq.) is amended by adding at the end  
 10 the following:

11 **“TITLE V—PUBLIC FINANCING**  
 12 **OF CONGRESSIONAL ELEC-**  
 13 **TION CAMPAIGNS**

14 **“Subtitle A—Benefits**

15 **“SEC. 501. BENEFITS FOR PARTICIPATING CANDIDATES.**

16 “(a) IN GENERAL.—If a candidate for election to the  
 17 office of Senator or Representative in, or Delegate or Resi-  
 18 dent Commissioner to, the Congress is a participating can-  
 19 didate under this title with respect to an election for such  
 20 office, the candidate shall be entitled to payments under  
 21 this title, to be used only for authorized expenditures in  
 22 connection with the election.

23 “(b) AMOUNT OF PAYMENT.—

24 “(1) MATCH OF QUALIFIED CONTRIBUTIONS.—

25 Subject to paragraph (2), the amount of a payment

1       made to a participating candidate under this title  
 2       shall be equal to 600 percent of the amount of quali-  
 3       fied contributions received by the candidate since the  
 4       most recent payment made to the candidate under  
 5       this title with respect to the election, as set forth—

6               “(A) in the case of the first payment made  
 7               to the candidate with respect to the election, in  
 8               the report filed under section 511(a)(2); and

9               “(B) in the case of any subsequent pay-  
 10              ment made to the candidate with respect to the  
 11              election, in the report of qualified contributions  
 12              filed under subsection (c).

13             “(2) LIMITATION.—In determining the amount  
 14             of qualified contributions received by a candidate for  
 15             purposes of making a payment under this section,  
 16             there shall be disregarded any amount of contribu-  
 17             tions from any person to the extent that the total of  
 18             the amounts contributed by such person for the elec-  
 19             tion exceeds \$200.

20             “(c) REPORTS.—

21             “(1) IN GENERAL.—Each participating can-  
 22             didate shall file reports of receipts of qualified con-  
 23             tributions at such times and in such manner as the  
 24             Commission may by regulations prescribe.

1           “(2) CONTENTS OF REPORTS.—Each report  
 2           under this subsection shall disclose each qualified  
 3           contribution received by the candidate since the most  
 4           recent report filed under this section, and shall state  
 5           the aggregate amount of all such qualified contribu-  
 6           tions received since the most recent report filed  
 7           under this section.

8           “(3) FREQUENCY OF REPORTS.—Reports under  
 9           this subsection shall be made no more frequently  
 10          than—

11                   “(A) once every month until the date that  
 12                   is 90 days before the date of the election;

13                   “(B) once every week after the period de-  
 14                   scribed in subparagraph (A) and until the date  
 15                   that is 21 days before the election; and

16                   “(C) once every day after the period de-  
 17                   scribed in subparagraph (B).

18           “(4) LIMITATION ON REGULATIONS.—The  
 19           Commission may not prescribe any regulations with  
 20           respect to reporting under this subsection with re-  
 21           spect to any election after the date that is 180 days  
 22           before the date of such election.

23           “(d) LIMIT ON AGGREGATE AMOUNT OF PAY-  
 24          MENTS.—The aggregate amount of payments that may be

1 made under this title to a participating candidate during  
 2 an election cycle may not exceed—

3 “(1) \$2,000,000, in the case of a candidate for  
 4 the office of Representative in, or Delegate or Resi-  
 5 dent Commissioner to, the Congress; or

6 “(2) \$10,000,000, in the case of a candidate for  
 7 the office of Senator.

8 “(e) INFLATION ADJUSTMENT.—In each odd-num-  
 9 bered calendar year after 2018—

10 “(1) each of the dollar amounts under sub-  
 11 sections (b)(2), (d)(1), and (d)(2) shall be increased  
 12 by the percent difference determined under section  
 13 315(c)(1)(A) (determined by substituting ‘calendar  
 14 year 2017’ for ‘the base period’);

15 “(2) each amount so increased shall remain in  
 16 effect for the election cycle beginning on the first  
 17 day following the year in which the amount is in-  
 18 creased; and

19 “(3) if any amount after adjustment under  
 20 paragraph (1) is—

21 “(A) in the case of an amount under sub-  
 22 section (b)(2), not a multiple of \$10, such  
 23 amount shall be rounded to the nearest multiple  
 24 of \$10, and

1                   “(B) in the case of an amount under sub-  
2                   section (d), not a multiple of \$1,000, such  
3                   amount shall be rounded to the nearest multiple  
4                   of \$1,000.

5   **“SEC. 502. ADMINISTRATION OF PAYMENTS.**

6           “(a) TIMING.—The Commission shall make payments  
7   under this title to a participating candidate—

8                   “(1) in the case of the first payment made to  
9                   the candidate with respect to the election, not later  
10                  than 48 hours after the date on which such can-  
11                  didate is certified as a participating candidate under  
12                  section 513; and

13                  “(2) in the case of any subsequent payment  
14                  made to the candidate with respect to the election,  
15                  not later than 5 business days after the receipt of  
16                  a report made under section 501(c).

17           “(b) METHOD OF PAYMENT.—The Commission shall  
18   distribute funds available to participating candidates  
19   under this title through the use of an electronic funds ex-  
20   change or a debit card.

21           “(c) APPEALS.—The Commission shall provide a  
22   written explanation with respect to any denial of any pay-  
23   ment under this title and shall provide for the opportunity  
24   for review and reconsideration within 5 business days of  
25   such denial.

1 **“SEC. 503. QUALIFIED CONTRIBUTION DEFINED.**

2 “In this title, the term ‘qualified contribution’ means,  
3 with respect to a candidate, a contribution that meets each  
4 of the following requirements:

5 “(1) The contribution is in an amount that is  
6 not greater than the limit on the amount of a con-  
7 tribution that may be accepted by a participating  
8 candidate from an individual under section 521(a).

9 “(2) The contribution is made by an individual  
10 who is not otherwise prohibited from making a con-  
11 tribution under this Act.

12 “(3) The contribution is not—

13 “(A) forwarded from the contributor by  
14 any person other than an individual; or

15 “(B) received by the candidate or an au-  
16 thorized committee of the candidate from a con-  
17 tributor or contributors, but credited by the  
18 committee or candidate to another person who  
19 is not an individual through records, designa-  
20 tions, or other means of recognizing (whether in  
21 writing or not in writing) that a certain amount  
22 of money has been raised by such person.

23 “(4) The contribution meets the requirements  
24 of section 512(b).

1           **“Subtitle B—Eligibility and**  
2                           **Certification**

3   **“SEC. 511. ELIGIBILITY.**

4           “(a) IN GENERAL.—A candidate for the office of  
5 Senator or Representative in, or Delegate or Resident  
6 Commissioner to, the Congress is eligible to be certified  
7 as a participating candidate under this title with respect  
8 to an election if the candidate meets the following require-  
9 ments:

10                   “(1) During the election cycle for the office in-  
11 volved, the candidate files with the Commission a  
12 statement of intent to seek certification as a partici-  
13 pating candidate.

14                   “(2) The candidate meets the qualified con-  
15 tribution requirements of section 512 and submits to  
16 the Commission a report disclosing each qualified  
17 contribution received by the candidate and stating  
18 the aggregate amount of all such qualified contribu-  
19 tions received.

20                   “(3) Not later than the last day of the quali-  
21 fying period, the candidate files with the Commis-  
22 sion an affidavit signed by the candidate and the  
23 treasurer of the candidate’s principal campaign com-  
24 mittee declaring that the candidate—

1           “(A) has complied and, if certified, will  
 2           comply with the contribution and expenditure  
 3           requirements of section 521;

4           “(B) if certified, will run only as a partici-  
 5           pating candidate for all elections for the office  
 6           that such candidate is seeking during the elec-  
 7           tion cycle; and

8           “(C) has either qualified or will take steps  
 9           to qualify under State law to be on the ballot.

10       “(b) GENERAL ELECTION.—Notwithstanding sub-  
 11       section (a), a candidate shall not be eligible to receive a  
 12       payment under this title for a general election or a general  
 13       runoff election unless the candidate’s party nominated the  
 14       candidate to be placed on the ballot for the general elec-  
 15       tion or the candidate is otherwise qualified to be on the  
 16       ballot under State law.

17       “(c) QUALIFYING PERIOD DEFINED.—The term  
 18       ‘qualifying period’ means, with respect to any candidate  
 19       for the office of Senator or Representative in, or Delegate  
 20       or Resident Commissioner to, the Congress, the 120-day  
 21       period (during the election cycle for such office) which be-  
 22       gins on the date on which the candidate files a statement  
 23       of intent under section 511(a)(1), except that such period  
 24       may not continue after the date that is 60 days before—

25           “(1) the date of the primary election; or

1           “(2) in the case of a State that does not hold  
 2           a primary election, the date prescribed by State law  
 3           as the last day to qualify for a position on the gen-  
 4           eral election ballot.

5   **“SEC. 512. QUALIFIED CONTRIBUTION REQUIREMENTS.**

6           “(a) RECEIPT OF QUALIFIED CONTRIBUTIONS.—

7           “(1) IN GENERAL.—A candidate meets the re-  
 8           quirements of this section if, during the qualifying  
 9           period described in section 511(c), the candidate ob-  
 10          tains—

11                  “(A) a single qualified contribution from a  
 12                  number of individuals equal to or greater  
 13                  than—

14                          “(i) in the case of a candidate for  
 15                          election the office of Representative in, or  
 16                          Delegate or Resident Commissioner to, the  
 17                          Congress, 400, or

18                          “(ii) in the case of a candidate for the  
 19                          office of Senator, the product of 400 and  
 20                          the number of Congressional districts in  
 21                          the State involved as of the date of the  
 22                          election; and

23                  “(B) a total dollar amount of qualified  
 24          contributions equal to or greater than—

1           “(i) in the case of a candidate for  
 2           election the office of Representative in, or  
 3           Delegate or Resident Commissioner to, the  
 4           Congress, \$40,000, disregarding any  
 5           amount of contributions from any person  
 6           to the extent that the total of the amounts  
 7           contributed by such person for the election  
 8           exceeds \$200, or

9           “(ii) in the case of a candidate for the  
 10          office of Senator, the product of \$40,000  
 11          and the number of Congressional districts  
 12          in the State involved as of the date of the  
 13          election, disregarding any amount of con-  
 14          tributions from any person to the extent  
 15          that the total of the amounts contributed  
 16          by such person for the election exceeds  
 17          \$200.

18          “(2) EXCLUSION OF CONTRIBUTIONS FROM  
 19          OUT-OF-STATE RESIDENTS.—In determining the  
 20          number of qualified contributions obtained by a can-  
 21          didate under paragraph (1)(A) and the dollar  
 22          amount of qualified contributions obtained by a can-  
 23          didate under paragraph (1)(B), there shall be ex-  
 24          cluded any contributions made by an individual who

1 does not have a primary residence in the State in  
2 which such candidate is seeking election.

3 “(b) REQUIREMENTS RELATING TO RECEIPT OF  
4 QUALIFIED CONTRIBUTION.—Each qualified contribu-  
5 tion—

6 “(1) may be made by means of a personal  
7 check, money order, debit card, credit card, or elec-  
8 tronic payment account;

9 “(2) shall be accompanied by a signed state-  
10 ment containing the contributor’s name and the con-  
11 tributor’s address in the State in which the primary  
12 residence of the contributor is located; and

13 “(3) shall be acknowledged by a receipt that is  
14 sent to the contributor with a copy kept by the can-  
15 didate for the Commission and a copy kept by the  
16 candidate for the election authorities in the State  
17 with respect to which the candidate is seeking elec-  
18 tion.

19 “(c) PROHIBITING PAYMENT ON COMMISSION BASIS  
20 OF INDIVIDUALS COLLECTING QUALIFIED CONTRIBU-  
21 TIONS.—No person may be paid a commission on a per  
22 qualified contribution basis for collecting qualified con-  
23 tributions.

24 **“SEC. 513. CERTIFICATION.**

25 “(a) DEADLINE AND NOTIFICATION.—

1           “(1) IN GENERAL.—Not later than 10 days  
2 after a candidate files an affidavit under section  
3 511(a)(3), the Commission shall—

4           “(A) determine whether or not the can-  
5 didate meets the requirements for certification  
6 as a participating candidate;

7           “(B) if the Commission determines that  
8 the candidate meets such requirements, certify  
9 the candidate as a participating candidate; and

10           “(C) notify the candidate of the Commis-  
11 sion’s determination.

12           “(2) DEEMED CERTIFICATION FOR ALL ELEC-  
13 TIONS IN ELECTION CYCLE.—If the Commission cer-  
14 tifies a candidate as a participating candidate with  
15 respect to the first election of the election cycle in-  
16 volved, the Commissioner shall be deemed to have  
17 certified the candidate as a participating candidate  
18 with respect to all subsequent elections of the elec-  
19 tion cycle.

20           “(b) REVOCATION OF CERTIFICATION.—

21           “(1) IN GENERAL.—The Commission may re-  
22 voke a certification under subsection (a) if—

23           “(A) a candidate fails to qualify to appear  
24 on the ballot at any time after the date of cer-  
25 tification (other than a candidate certified as a

1 participating candidate with respect to a pri-  
2 mary election who fails to qualify to appear on  
3 the ballot for a subsequent election in that elec-  
4 tion cycle); or

5 “(B) a candidate otherwise fails to comply  
6 with the requirements of this title, including  
7 any regulatory requirements prescribed by the  
8 Commission.

9 “(2) REPAYMENT OF BENEFITS.—If certifi-  
10 cation is revoked under paragraph (1), the candidate  
11 shall repay to the Empowering Citizens Payment Ac-  
12 count of the Presidential Election Campaign Fund  
13 (established under section 9051 of the Internal Rev-  
14 enue Code of 1986) an amount equal to the value  
15 of benefits received under this title with respect to  
16 the election cycle involved plus interest (at a rate de-  
17 termined by the Commission) on any such amount  
18 received.

19 “(c) PARTICIPATING CANDIDATE DEFINED.—In this  
20 title, a ‘participating candidate’ means a candidate for the  
21 office of Senator or Representative in, or Delegate or Resi-  
22 dent Commissioner to, the Congress who is certified under  
23 this section as eligible to receive benefits under this title.

1 **“Subtitle C—Requirements for Can-**  
 2 **didates Certified as Partici-**  
 3 **pating Candidates**

4 **“SEC. 521. RESTRICTIONS ON CERTAIN CONTRIBUTIONS**  
 5 **AND EXPENDITURES.**

6 “(a) REDUCTION IN OTHERWISE APPLICABLE CON-  
 7 TRIBUTION LIMITS.—

8 “(1) IN GENERAL.—In the case of a candidate  
 9 who is certified as a participating candidate under  
 10 this title with respect to an election, each limit appli-  
 11 cable under paragraph (1)(A) and paragraph (2)(A)  
 12 of section 315(a) to the amount of a contribution  
 13 which may be made to the candidate and any au-  
 14 thorized committee of the candidate with respect to  
 15 the election shall be equal to \$1,000 for the election.

16 “(2) INFLATION ADJUSTMENT.—In each odd-  
 17 numbered calendar year after 2018—

18 “(A) the \$1,000 amount under paragraph  
 19 (1) shall be increased by the percent difference  
 20 determined under section 315(c)(1)(A) (deter-  
 21 mined by substituting ‘calendar year 2017’ for  
 22 ‘the base period’);

23 “(B) the amount so increased shall remain  
 24 in effect for the election cycle beginning on the

1 first day following the year in which the amount  
2 is increased; and

3 “(C) if any amount after adjustment under  
4 subparagraph (A) not a multiple of \$100, such  
5 amount shall be rounded to the nearest multiple  
6 of \$100.

7 “(b) PROHIBITING ACCEPTANCE OF CONTRIBUTIONS  
8 BUNDLED BY REGISTERED LOBBYISTS.—A candidate  
9 who is certified as a participating candidate under this  
10 title with respect to an election, and any authorized com-  
11 mittee of such a candidate, may not accept any contribu-  
12 tion with respect to the election which is a bundled con-  
13 tribution (as defined in section 304(i)(8)) forwarded by  
14 or credited to a person described in section 304(i)(7).

15 “(c) LIMIT ON EXPENDITURES FROM PERSONAL  
16 FUNDS.—A candidate who is certified as a participating  
17 candidate under this title may not make expenditures from  
18 personal funds (as defined in section 304(a)(6)(B)) in an  
19 aggregate amount exceeding \$50,000 with respect to any  
20 election in the election cycle involved.

21 “(d) PROHIBITING SOLICITATION OF FUNDS FOR PO-  
22 LITICAL PARTY COMMITTEES.—A candidate who is cer-  
23 tified as a participating candidate under this title may not  
24 solicit funds for any political committee of a political  
25 party, except that the candidate may solicit funds for a

1 separate account of the committee which is established  
2 under section 315(d)(5).

3 **“SEC. 522. REMITTING UNSPENT FUNDS AFTER ELECTION.**

4       “(a) IN GENERAL.—Not later than the date that is  
5 60 days after the last election for which a candidate cer-  
6 tified as a participating candidate qualifies to be on the  
7 ballot during the election cycle involved, such participating  
8 candidate shall remit to the Commission for deposit in the  
9 Empowering Citizens Payment Account of the Presi-  
10 dential Election Campaign Fund (established under sec-  
11 tion 9051 of the Internal Revenue Code of 1986) an  
12 amount equal to the lesser of—

13               “(1) the amount of money in the candidate’s  
14 campaign account; or

15               “(2) the amount of the payments received by  
16 the candidate under this title.

17       “(b) EXCEPTION FOR EXPENDITURES INCURRED  
18 BUT NOT PAID AS OF DATE OF REMITTANCE.—

19               “(1) IN GENERAL.—Subject to subsection (a), a  
20 candidate may withhold from the amount required to  
21 be remitted under paragraph (1) of such subsection  
22 the amount of any authorized expenditures which  
23 were incurred in connection with the candidate’s  
24 campaign but which remain unpaid as of the dead-  
25 line applicable to the candidate under such sub-

1 section, except that any amount withheld pursuant  
 2 to this paragraph shall be remitted to the Commis-  
 3 sion not later than 120 days after the date of the  
 4 election to which such subsection applies.

5 “(2) DOCUMENTATION REQUIRED.—A can-  
 6 didate may withhold an amount of an expenditure  
 7 pursuant to paragraph (1) only if the candidate sub-  
 8 mits documentation of the expenditure and the  
 9 amount to the Commission not later than the dead-  
 10 line applicable to the candidate under subsection (a).

## 11 **“Subtitle D—Administrative** 12 **Provisions**

### 13 **“SEC. 531. ADMINISTRATION BY COMMISSION.**

14 “The Commission shall prescribe regulations to carry  
 15 out the purposes of this title, including regulations to es-  
 16 tablish procedures for—

17 “(1) verifying the amount of qualified contribu-  
 18 tions with respect to a candidate;

19 “(2) effectively and efficiently monitoring and  
 20 enforcing the limits on the raising of qualified con-  
 21 tributions;

22 “(3) effectively and efficiently monitoring and  
 23 enforcing the limits on the use of personal funds by  
 24 participating candidates; and

1           “(4) monitoring the use of payments under this  
 2           title through audits of not fewer than  $\frac{1}{3}$  of all par-  
 3           ticipating candidates or other mechanisms.

4   **“SEC. 532. VIOLATIONS AND PENALTIES.**

5           “(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBU-  
 6   TION AND EXPENDITURE REQUIREMENTS.—If a can-  
 7   didate who has been certified as a participating candidate  
 8   accepts a contribution or makes an expenditure that is  
 9   prohibited under section 521, the Commission shall assess  
 10   a civil penalty against the candidate in an amount that  
 11   is not more than 3 times the amount of the contribution  
 12   or expenditure. Any amounts collected under this sub-  
 13   section shall be deposited into the Empowering Citizens  
 14   Payment Account of the Presidential Election Campaign  
 15   Fund (established under section 9051 of the Internal Rev-  
 16   enue Code of 1986).

17           “(b) REPAYMENT FOR IMPROPER USE OF EMPOW-  
 18   ERING CITIZENS PAYMENT ACCOUNT.—

19           “(1) IN GENERAL.—If the Commission deter-  
 20   mines that any benefit made available to a partici-  
 21   pating candidate was not used as provided for in  
 22   this title or that a participating candidate has vio-  
 23   lated any of the dates for remission of funds con-  
 24   tained in this title, the Commission shall so notify  
 25   the candidate and the candidate shall pay to the

1       Empowering Citizens Payment Account of the Presi-  
 2       dential Election Campaign Fund an amount equal  
 3       to—

4               “(A) the amount of benefits so used or not  
 5       remitted, as appropriate; and

6               “(B) interest on any such amounts (at a  
 7       rate determined by the Commission).

8               “(2) OTHER ACTION NOT PRECLUDED.—Any  
 9       action by the Commission in accordance with this  
 10      subsection shall not preclude enforcement pro-  
 11      ceedings by the Commission in accordance with sec-  
 12      tion 309(a), including a referral by the Commission  
 13      to the Attorney General in the case of an apparent  
 14      knowing and willful violation of this title.

15   **“SEC. 533. ELECTION CYCLE DEFINED.**

16        “In this title, the term ‘election cycle’ means, with  
 17      respect to an election for the office of Senator or Rep-  
 18      resentative in, or Delegate or Resident Commissioner to,  
 19      the Congress, the period beginning on the day after the  
 20      date of the most recent general election for that office (or,  
 21      if the general election resulted in a runoff election, the  
 22      date of the runoff election) and ending on the date of the  
 23      next general election for that office (or, if the general elec-  
 24      tion resulted in a runoff election, the date of the runoff  
 25      election).’”.

1 **SEC. 3002. PERMITTING UNLIMITED COORDINATED EX-**  
 2 **PENDITURES BY POLITICAL PARTY COMMIT-**  
 3 **TEES ON BEHALF OF PARTICIPATING CAN-**  
 4 **DIDATES IF EXPENDITURES ARE DERIVED**  
 5 **FROM SMALL DOLLAR CONTRIBUTIONS.**

6 Section 315(d) of the Federal Election Campaign Act  
 7 of 1971 (52 U.S.C. 30116(d)), as amended by section  
 8 2101(b) of Division N of the Consolidated and Further  
 9 Continuing Appropriations Act, 2015 (Public Law 113–  
 10 235; 128 Stat. 2773), is amended by adding at the end  
 11 the following new paragraph:

12 “(6) In determining the amount of expenditures  
 13 made by a committee under paragraph (3) in connection  
 14 with the campaign of a candidate who is certified as a  
 15 participating candidate under title V, there shall be ex-  
 16 cluded any expenditures which are derived from a separate  
 17 account established by the committee for which the only  
 18 sources of funds are contributions made during the elec-  
 19 tion cycle in an amount which does not exceed \$1,000 per  
 20 contributor.”.

21 **SEC. 3003. PROHIBITING USE OF CONTRIBUTIONS BY PAR-**  
 22 **TICIPATING CANDIDATES FOR PURPOSES**  
 23 **OTHER THAN CAMPAIGN FOR ELECTION.**

24 Section 313 of the Federal Election Campaign Act  
 25 of 1971 (52 U.S.C. 30114) is amended by adding at the  
 26 end the following new subsection:

1       “(d) RESTRICTIONS ON PERMITTED USES OF FUNDS  
 2 BY CANDIDATES RECEIVING MATCHING PUBLIC  
 3 FUNDS.—Notwithstanding paragraph (2), (3), or (4) of  
 4 subsection (a), if a candidate for election for the office  
 5 of Senator or Representative in, or Delegate or Resident  
 6 Commissioner to, the Congress is certified as a partici-  
 7 pating candidate under title V with respect to the election,  
 8 any contribution which the candidate is permitted to ac-  
 9 cept under such title may be used only for authorized ex-  
 10 penditures in connection with the candidate’s campaign  
 11 for such office.”.

12 **TITLE IV—USE OF PRESI-**  
 13 **DENTIAL ELECTION CAM-**  
 14 **PAIGN FUND FOR PUBLIC FI-**  
 15 **NANCING OF FEDERAL ELEC-**  
 16 **TIONS**

17 **SEC. 4001. USE OF PRESIDENTIAL ELECTION CAMPAIGN**  
 18 **FUND FOR CONGRESSIONAL CANDIDATES.**

19       Subtitle H of the Internal Revenue Code of 1986 is  
 20 amended by adding at the end the following new chapter:

21 **“CHAPTER 97—EMPOWERING CITIZENS**  
 22 **PAYMENT ACCOUNT**

“Sec. 9051. Payments to Congressional candidates.

1 **“SEC. 9051. PAYMENTS TO CONGRESSIONAL CANDIDATES.**

2       “(a) ESTABLISHMENT OF ACCOUNT.—The Secretary  
3 shall maintain in the Presidential Election Campaign  
4 Fund established by section 9006(a), in addition to any  
5 account which he maintains under such section, a separate  
6 account to be known as the Empowering Citizens Payment  
7 Account (hereinafter in this section referred to as the ‘Ac-  
8 count’).

9       “(b) AMOUNTS TRANSFERRED TO ACCOUNT.—

10           “(1) IN GENERAL.—The Secretary shall deposit  
11 into the Account the excess of—

12               “(A) the balance of the Federal Election  
13 Campaign Fund (determined without regard to  
14 the Account), over

15               “(B) the amount determined by the Sec-  
16 retary to be required for payments under sec-  
17 tion 9006(c) and for payments under section  
18 9037(b).

19       “(2) SUPPLEMENTAL TRANSFERS.—There are  
20 hereby appropriated to the Account an amount equal  
21 to the excess (if any) of—

22               “(A) the amount required to provide pay-  
23 ments to candidates for election to the office of  
24 Senator or Representative in, or Delegate or  
25 Resident Commissioner to, the Congress who

1 are participating candidates under title V of the  
 2 Federal Election Campaign Act of 1971, over

3 “(B) the amounts transferred to such Ac-  
 4 count under paragraph (1).

5 “(c) USE OF ACCOUNT FOR PAYMENTS TO CONGRES-  
 6 SIONAL CANDIDATES PARTICIPATING IN PUBLIC FINANC-  
 7 ING PROGRAM.—The Secretary shall transfer amounts in  
 8 the Account to the Federal Election Commission, at such  
 9 times and in such amounts as the Federal Election Com-  
 10 mission may certify, for payments to candidates for elec-  
 11 tion to the office of Senator or Representative in, or Dele-  
 12 gate or Resident Commissioner to, the Congress who are  
 13 participating candidates under title V of the Federal Elec-  
 14 tion Campaign Act of 1971.”.

15 **SEC. 4002. REVISIONS TO DESIGNATION OF INCOME TAX**  
 16 **PAYMENTS BY INDIVIDUAL TAXPAYERS.**

17 (a) INCREASE IN AMOUNT DESIGNATED.—Section  
 18 6096(a) of the Internal Revenue Code of 1986 is amend-  
 19 ed—

20 (1) in the first sentence, by striking “\$3” each  
 21 place it appears and inserting “\$20”; and

22 (2) in the second sentence—

23 (A) by striking “\$6” and inserting “\$40”;

24 and

25 (B) by striking “\$3” and inserting “\$20”.

1 (b) INDEXING.—Section 6096 of such Code is amend-  
 2 ed by adding at the end the following new subsection:

3 “(d) INDEXING OF AMOUNT DESIGNATED.—

4 “(1) IN GENERAL.—With respect to each tax-  
 5 able year after 2017, each amount referred to in  
 6 subsection (a) shall be increased by the percent dif-  
 7 ference described in paragraph (2), except that if  
 8 any such amount after such an increase is not a  
 9 multiple of \$1, such amount shall be rounded to the  
 10 nearest multiple of \$1.

11 “(2) PERCENT DIFFERENCE DESCRIBED.—The  
 12 percent difference described in this paragraph with  
 13 respect to a taxable year is the percent difference  
 14 determined under section 315(c)(1)(A) of the Fed-  
 15 eral Election Campaign Act of 1971 with respect to  
 16 the calendar year during which the taxable year be-  
 17 gins, except that the base year involved shall be  
 18 2016.”.

19 (c) ENSURING TAX PREPARATION SOFTWARE DOES  
 20 NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION  
 21 QUESTION.—Section 6096 of such Code, as amended by  
 22 subsection (b), is amended by adding at the end the fol-  
 23 lowing new subsection:

24 “(e) ENSURING TAX PREPARATION SOFTWARE DOES  
 25 NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION

1 QUESTION.—The Secretary shall promulgate regulations  
 2 to ensure that electronic software used in the preparation  
 3 or filing of individual income tax returns does not auto-  
 4 matically accept or decline a designation of a payment  
 5 under this section.”.

6 (d) PUBLIC INFORMATION PROGRAM ON DESIGNA-  
 7 TION.—Section 6096 of such Code, as amended by sub-  
 8 sections (b) and (c), is amended by adding at the end the  
 9 following new subsection:

10 “(f) PUBLIC INFORMATION PROGRAM.—

11 “(1) IN GENERAL.—The Federal Election Com-  
 12 mission shall conduct a program to inform and edu-  
 13 cate the public regarding the purposes of the Presi-  
 14 dential Election Campaign Fund, the procedures for  
 15 the designation of payments under this section, and  
 16 the effect of such a designation on the income tax  
 17 liability of taxpayers.

18 “(2) USE OF FUNDS FOR PROGRAM.—Amounts  
 19 in the Presidential Election Campaign Fund shall be  
 20 made available to the Federal Election Commission  
 21 to carry out the program under this subsection.”.

22 (e) EFFECTIVE DATE.—The amendments made by  
 23 this section shall take effect January 1, 2018.

1 **SEC. 4003. DONATION TO PRESIDENTIAL ELECTION CAM-**  
2 **PAIGN FUND.**

3 (a) GENERAL RULE.—Every taxpayer who makes a  
4 return of the tax imposed by subtitle A of the Internal  
5 Revenue Code of 1986 for any taxable year ending after  
6 December 31, 2017, may donate an amount (not less than  
7 \$1), in addition to any designation of income tax liability  
8 under section 6096 of such Code for such taxable year,  
9 which shall be deposited in the general fund of the Treas-  
10 ury.

11 (b) MANNER AND TIME OF DESIGNATION.—Any do-  
12 nation under subsection (a) for any taxable year—

13 (1) shall be made at the time of filing the re-  
14 turn of the tax imposed by subtitle A of such Code  
15 for such taxable year and in such manner as the  
16 Secretary may by regulation prescribe, except that—

17 (A) the designation for such donation shall  
18 be either on the first page of the return or on  
19 the page bearing the taxpayer's signature, and

20 (B) the designation shall be by a box  
21 added to the return, and the text beside the box  
22 shall provide:

23 “By checking here, I signify that in  
24 addition to my tax liability (if any), I  
25 would like to donate the included payment  
26 to be used exclusively as a contribution to

1                   the Presidential Election Campaign  
2                   Fund.”, and

3                   (2) shall be accompanied by a payment of the  
4                   amount so designated.

5                   (c) TRANSFERS TO PRESIDENTIAL ELECTION CAM-  
6 PAIGN FUND.—The Secretary shall, from time to time,  
7 transfer to the Presidential Election Campaign Fund es-  
8 tablished under section 9006(a) of such Code amounts  
9 equal to the amounts donated under this section.

## 10                   **TITLE V—OTHER CAMPAIGN** 11                   **FINANCE REFORMS**

### 12                   **SEC. 5001. REGULATIONS WITH RESPECT TO BEST EFFORTS** 13                   **FOR IDENTIFYING PERSONS MAKING CON-** 14                   **TRIBUTIONS.**

15                   Not later than 6 months after the date of enactment  
16 of this Act, the Federal Election Commission shall pro-  
17 mulgate regulations with respect to what constitutes best  
18 efforts under section 302(i) of the Federal Election Cam-  
19 paign Act of 1971 (52 U.S.C. 30102(i)) for determining  
20 the identification of persons making contributions to polit-  
21 ical committees, including the identifications of persons  
22 making contributions over the Internet or by credit card.  
23 Such regulations shall include a requirement that in the  
24 case of contributions made by a credit card, the political  
25 committee shall ensure that the name on the credit card

1 used to make the contribution matches the name of the  
 2 person making the contribution.

3 **SEC. 5002. RULES RELATING TO JOINT FUNDRAISING COM-**  
 4 **MITTEES.**

5 (a) PROHIBITION ON JOINT FUNDRAISING COMMIT-  
 6 TEES FOR CANDIDATES.—

7 (1) IN GENERAL.—Section 302(e) of the Fed-  
 8 eral Election Campaign Act of 1971 (52 U.S.C.  
 9 30102(e)) is amended by adding at the end the fol-  
 10 lowing new paragraph:

11 “(6) No authorized committee of a candidate may es-  
 12 tablish, participate in, or have any involvement with any  
 13 joint fundraising committee.”.

14 (2) CONFORMING AMENDMENT.—Section  
 15 302(e)(3)(A) of such Act (52 U.S.C. 30102(e)(3)) is  
 16 amended—

17 (A) by striking “except that” and all that  
 18 follows through “the candidate” and inserting  
 19 “except that the candidate”,

20 (B) by striking “; and” and inserting a pe-  
 21 riod, and

22 (C) by striking clause (ii).

23 (b) LIMITATION ON JOINT FUNDRAISING COMMIT-  
 24 TEES FOR PARTY COMMITTEES.—Section 302 of the Fed-  
 25 eral Election Campaign Act of 1971 (52 U.S.C. 30102)

1 is amended by adding at the end the following new sub-  
2 section:

3       “(j) PARTICIPATION OF PARTY COMMITTEES IN  
4 JOINT FUNDRAISING COMMITTEES.—No committee of a  
5 political party may establish, participate in, or have any  
6 involvement with any joint fundraising committee other  
7 than a joint fundraising committee that consists of the  
8 national committee of a political party and one other com-  
9 mittee of the political party.”.

10       (c) EFFECTIVE DATE.—The amendments made by  
11 this section shall take effect on January 1, 2018.

12 **SEC. 5003. DISCLOSURE OF BUNDLED CONTRIBUTIONS TO**  
13 **PRESIDENTIAL CAMPAIGNS; INCREASE IN**  
14 **THRESHOLD FOR BUNDLED CONTRIBUTIONS**  
15 **BY LOBBYISTS.**

16       (a) IN GENERAL.—Paragraphs (1) through (3) of  
17 section 304(i) of the Federal Election Campaign Act of  
18 1971 (52 U.S.C. 30104(i)) are amended to read as fol-  
19 lows:

20       “(1) IN GENERAL.—

21               “(A) DISCLOSURE OF BUNDLED CON-  
22 TRIBUTIONS BY LOBBYISTS.—Each committee  
23 described in paragraph (6) shall include in the  
24 first report required to be filed under this sec-  
25 tion after each covered period (as defined in

paragraph (2)) a separate schedule setting forth the name, address, and employer of each person reasonably known by the committee to be a person described in paragraph (7) who provided two or more bundled contributions to the committee in an aggregate amount greater than the applicable threshold (as defined in paragraph (3)) during the covered period, and the aggregate amount of the bundled contributions provided by each such person during the covered period.

“(B) DISCLOSURE OF BUNDLED CONTRIBUTIONS TO PRESIDENTIAL CAMPAIGNS.— Each committee which is an authorized committee of a candidate for the office of President or for nomination to such office shall include in the first report required to be filed under this section after each covered period (as defined in paragraph (2)) a separate schedule setting forth the name, address, and employer of each person who provided two or more bundled contributions to the committee in an aggregate amount greater than the applicable threshold (as defined in paragraph (3)) during the election cycle, and the aggregate amount of the bundled

1 contributions provided by each such person dur-  
 2 ing the covered period and such election cycle.  
 3 Such schedule shall include a separate listing of  
 4 the name, address, and employer of each person  
 5 included on such schedule who is reasonably  
 6 known by the committee to be a person de-  
 7 scribed in paragraph (7), together with the ag-  
 8 gregate amount of bundled contributions pro-  
 9 vided by such person during such period and  
 10 such cycle.

11 “(2) COVERED PERIOD.—In this subsection, a  
 12 ‘covered period’ means—

13 “(A) with respect to a committee which is  
 14 an authorized committee of a candidate for the  
 15 office of President or for nomination to such of-  
 16 fice—

17 “(i) the 4-year election cycle ending  
 18 with the date of the election for the office  
 19 of the President; and

20 “(ii) any reporting period applicable  
 21 to the committee under this section during  
 22 which any person provided two or more  
 23 bundled contributions to the committee;  
 24 and

“(B) with respect to any other committee—

“(i) the period beginning January 1 and ending June 30 of each year;

“(ii) the period beginning July 1 and ending December 31 of each year; and

“(iii) any reporting period applicable to the committee under this section during which any person described in paragraph (7) provided two or more bundled contributions to the committee in an aggregate amount greater than the applicable threshold.

“(3) APPLICABLE THRESHOLD.—

“(A) IN GENERAL.—In this subsection, the ‘applicable threshold’ is—

“(i) \$50,000 in the case of a committee which is an authorized committee of a candidate for the office of President or for nomination to such office; and

“(ii) \$25,000 in the case of any other committee.

In determining whether the amount of bundled contributions provided to a committee by a person exceeds the applicable threshold, there shall

1 be excluded any contribution made to the com-  
 2 mittee by the person or the person's spouse.

3 “(B) INDEXING.—In any calendar year  
 4 after 2018, section 315(c)(1)(B) shall apply to  
 5 each amount applicable under subparagraph  
 6 (A) in the same manner as such section applies  
 7 to the limitations established under subsections  
 8 (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such  
 9 section, except that for purposes of applying  
 10 such section to the amount applicable under  
 11 subparagraph (A), the ‘base period’ shall be  
 12 2017.

13 “(C) AGGREGATION OF CONTRIBUTIONS  
 14 FROM COSPONSORS OF FUNDRAISING EVENT.—  
 15 For purposes of determining the amount of  
 16 bundled contributions provided by a person to a  
 17 committee which were received by the person at  
 18 a fundraising event sponsored by the person, or  
 19 in response to an invitation to attend a fund-  
 20 raising event sponsored by the person, each per-  
 21 son who is a sponsor of the event shall be con-  
 22 sidered to have provided to the committee the  
 23 aggregate amount of all bundled contributions  
 24 which were provided to the committee by all  
 25 sponsors of the event.”.

1 (b) CONFORMING AMENDMENTS.—Section 304(i) of  
2 such Act (52 U.S.C. 30104(i)) is amended—

3 (1) in paragraph (5), by striking “described in  
4 paragraph (7)” each place it appears in subpara-  
5 graphs (C) and (D);

6 (2) in paragraph (6), by inserting “(other than  
7 a candidate for the office of President or for nomi-  
8 nation to such office)” after “candidate”; and

9 (3) in paragraph (8)(A)—

10 (A) by striking “, with respect to a com-  
11 mittee described in paragraph (6) and a person  
12 described in paragraph (7),” and inserting “,  
13 with respect to a committee described in para-  
14 graph (6) or an authorized committee of a can-  
15 didate for the office of President or for nomina-  
16 tion to such office,”;

17 (B) by striking “by the person” in clause  
18 (i) thereof and inserting “by any person”; and

19 (C) by striking “the person” each place it  
20 appears in clause (ii) and inserting “such per-  
21 son”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall apply with respect to reports filed under  
24 section 304 of the Federal Election Campaign Act of 1971  
25 after January 1, 2018.

1 **SEC. 5004. REPEAL OF SPECIAL CONTRIBUTION LIMITS FOR**  
2 **CONTRIBUTIONS TO NATIONAL PARTIES FOR**  
3 **CERTAIN PURPOSES.**

4 (a) IN GENERAL.—Section 315(a) of the Federal  
5 Election Campaign Act of 1971 (52 U.S.C. 30116(a)), as  
6 amended by section 2101(b) of Division N of the Consoli-  
7 dated and Further Continuing Appropriations Act, 2015  
8 (Public Law 113–235; 128 Stat. 2773), is amended—

9 (1) in paragraph (1)(B), by striking “, or, in  
10 the case of contributions made to any of the ac-  
11 counts described in paragraph (9), exceed 300 per-  
12 cent of the amount otherwise applicable under this  
13 subparagraph with respect to such calendar year”,

14 (2) in paragraph (2)(B), by striking “, or, in  
15 the case of contributions made to any of the ac-  
16 counts described in paragraph (9), exceed 300 per-  
17 cent of the amount otherwise applicable under this  
18 subparagraph with respect to such calendar year”,  
19 and

20 (3) by striking paragraph (9).

21 (b) CONFORMING AMENDMENT.—Section 315(d) of  
22 such Act (52 U.S.C. 30116(d)), as amended by section  
23 3002, is amended by striking paragraph (5).

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

1       (d) RETURN OF PREVIOUSLY CONTRIBUTED  
 2 AMOUNTS.—Not later than 90 days after the date of the  
 3 enactment of this Act, each political committee established  
 4 and maintained by a political party shall distribute all  
 5 amounts in accounts described in section 315(a)(9) of the  
 6 Federal Election Campaign Act of 1971 (52 U.S.C.  
 7 30116(a)(9)) to individuals who made contributions to  
 8 such accounts. The amount distributed to any contributor  
 9 from any account shall bear the same ratio to the amount  
 10 of contributions made by such contributor to such account  
 11 as the balance of such account on the date of the enact-  
 12 ment of this Act bears to the total amount of contributions  
 13 made to such account.

14 **SEC. 5005. JUDICIAL REVIEW OF ACTIONS RELATED TO**  
 15 **CAMPAIGN FINANCE LAWS.**

16       (a) IN GENERAL.—Title IV of the Federal Election  
 17 Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is  
 18 amended by inserting after section 406 the following new  
 19 section:

20 **“SEC. 407. JUDICIAL REVIEW.**

21       “(a) IN GENERAL.—Notwithstanding section 373(f),  
 22 if any action is brought for declaratory or injunctive relief  
 23 to challenge the constitutionality of any provision of this  
 24 Act or of chapter 95 or 96 of the Internal Revenue Code  
 25 of 1986, or is brought to with respect to any action of

1 the Commission under chapter 95 or 96 of the Internal  
 2 Revenue Code of 1986, the following rules shall apply:

3           “(1) The action shall be filed in the United  
 4 States District Court for the District of Columbia  
 5 and an appeal from the decision of the district court  
 6 may be taken to the Court of Appeals for the Dis-  
 7 trict of Columbia Circuit.

8           “(2) In the case of an action relating to declar-  
 9 atory or injunctive relief to challenge the constitu-  
 10 tionality of a provision—

11           “(A) a copy of the complaint shall be deliv-  
 12 ered promptly to the Clerk of the House of  
 13 Representatives and the Secretary of the Sen-  
 14 ate; and

15           “(B) it shall be the duty of the United  
 16 States District Court for the District of Colum-  
 17 bia, the Court of Appeals for the District of Co-  
 18 lumbia, and the Supreme Court of the United  
 19 States to advance on the docket and to expedite  
 20 to the greatest possible extent the disposition of  
 21 the action and appeal.

22           “(b) INTERVENTION BY MEMBERS OF CONGRESS.—  
 23 In any action in which the constitutionality of any provi-  
 24 sion of this Act or chapter 95 or 96 of the Internal Rev-  
 25 enue Code of 1986 is raised, any member of the House

1 of Representatives (including a Delegate or Resident Com-  
 2 missioner to the Congress) or Senate shall have the right  
 3 to intervene either in support of or opposition to the posi-  
 4 tion of a party to the case regarding the constitutionality  
 5 of the provision. To avoid duplication of efforts and reduce  
 6 the burdens placed on the parties to the action, the court  
 7 in any such action may make such orders as it considers  
 8 necessary, including orders to require interveners taking  
 9 similar positions to file joint papers or to be represented  
 10 by a single attorney at oral argument.

11 “(c) CHALLENGE BY MEMBERS OF CONGRESS.—Any  
 12 Member of Congress may bring an action, subject to the  
 13 special rules described in subsection (a), for declaratory  
 14 or injunctive relief to challenge the constitutionality of any  
 15 provision of this Act or chapter 95 or 96 of the Internal  
 16 Revenue Code of 1986.”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) IN GENERAL.—

19 (A) Section 9011 of the Internal Revenue  
 20 Code of 1986 is amended to read as follows:

21 **“SEC. 9011. JUDICIAL REVIEW.**

22 “For provisions relating to judicial review of certifi-  
 23 cations, determinations, and actions by the Commission  
 24 under this chapter, see section 407 of the Federal Election  
 25 Campaign Act of 1971.”.

1 (B) Section 9041 of the Internal Revenue  
 2 Code of 1986 is amended to read as follows:

3 **“SEC. 9041. JUDICIAL REVIEW.**

4 “For provisions relating to judicial review of actions  
 5 by the Commission under this chapter, see section 407 of  
 6 the Federal Election Campaign Act of 1971.”.

7 (C) Section 403 of the Bipartisan Cam-  
 8 paign Finance Reform Act of 2002 (52 U.S.C.  
 9 30110 note) is repealed.

10 (c) EFFECTIVE DATE.—The amendments made by  
 11 this section shall apply to actions brought on or after Jan-  
 12 uary 1, 2018.

13 **SEC. 5006. TREATMENT OF INTERNET COMMUNICATIONS**  
 14 **MADE BY POLITICAL COMMITTEES AS PUB-**  
 15 **LIC COMMUNICATIONS.**

16 Paragraph (22) of section 301 of the Federal Elec-  
 17 tion Campaign Act of 1971 (52 U.S.C. 30101(22)) is  
 18 amended by adding at the end the following new sentence:  
 19 “Such term shall include communications to the general  
 20 public made over the Internet by a political committee.”.

1 **SEC. 5007. APPLICATION OF LIMITATIONS ON CONTRIBU-**  
 2 **TIONS TO POLITICAL COMMITTEES MAKING**  
 3 **ONLY INDEPENDENT EXPENDITURES.**

4 Section 315(a)(1) of the Federal Election Campaign  
 5 Act of 1974 (52 U.S.C. 30116(a)(1)) is amended by strik-  
 6 ing subparagraph (C) and inserting the following:

7 “(C) to any other political committee  
 8 (other than a committee described in subpara-  
 9 graph (D)), including to a political committee  
 10 (or to an account of a political committee) that  
 11 makes only independent expenditures, in any  
 12 calendar year which, in the aggregate, exceed  
 13 \$5,000; or”.

14 **TITLE VI—MISCELLANEOUS**  
 15 **PROVISIONS**

16 **SEC. 6001. SEVERABILITY.**

17 If any provision of this Act or amendment made by  
 18 this Act, or the application of a provision or amendment  
 19 to any person or circumstance, is held to be unconstitu-  
 20 tional, the remainder of this and amendments made by  
 21 this Act, and the application of the provisions and amend-  
 22 ment to any person or circumstance, shall not be affected  
 23 by the holding.

1 **SEC. 6002. EFFECTIVE DATE.**

2       Except as otherwise provided in this Act, the amend-  
3 ments made by this Act shall apply with respect to elec-  
4 tions occurring after January 1, 2018.

