

S 27

Bipartisan Campaign Reform Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Jan 22, 2001

Current Status: Referred to the Subcommittee on Telecommunications and the Internet, for a period to be subsequently

Latest Action: Referred to the Subcommittee on Telecommunications and the Internet, for a period to be subsequently determined by the Chairman. (Jun 18, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/27>

Sponsor

Name: Sen. McCain, John [R-AZ]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (41 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Jan 22, 2001
Sen. Cantwell, Maria [D-WA]	D · WA		Jan 22, 2001
Sen. Cochran, Thad [R-MS]	R · MS		Jan 22, 2001
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 22, 2001
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Jan 22, 2001
Sen. Dayton, Mark [D-MN]	D · MN		Jan 22, 2001
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 22, 2001
Sen. Feingold, Russell D. [D-WI]	D · WI		Jan 22, 2001
Sen. Harkin, Tom [D-IA]	D · IA		Jan 22, 2001
Sen. Jeffords, James M. [R-VT]	R · VT		Jan 22, 2001
Sen. Kerry, John F. [D-MA]	D · MA		Jan 22, 2001
Sen. Kohl, Herb [D-WI]	D · WI		Jan 22, 2001
Sen. Levin, Carl [D-MI]	D · MI		Jan 22, 2001
Sen. Lieberman, Joseph I. [D-CT]	D · CT		Jan 22, 2001
Sen. Reed, Jack [D-RI]	D · RI		Jan 22, 2001
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 22, 2001
Sen. Snowe, Olympia J. [R-ME]	R · ME		Jan 22, 2001
Sen. Stabenow, Debbie [D-MI]	D · MI		Jan 22, 2001
Sen. Thompson, Fred [R-TN]	R · TN		Jan 22, 2001
Sen. Wellstone, Paul D. [D-MN]	D · MN		Jan 22, 2001
Sen. Wyden, Ron [D-OR]	D · OR		Jan 22, 2001
Sen. Cleland, Max [D-GA]	D · GA		Jan 23, 2001
Sen. Nelson, Bill [D-FL]	D · FL		Jan 23, 2001
Sen. Carper, Thomas R. [D-DE]	D · DE		Jan 24, 2001
Sen. Feinstein, Dianne [D-CA]	D · CA		Jan 24, 2001
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jan 24, 2001
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Jan 25, 2001
Sen. Bayh, Evan [D-IN]	D · IN		Jan 30, 2001
Sen. Bingaman, Jeff [D-NM]	D · NM		Jan 30, 2001
Sen. Carnahan, Jean [D-MO]	D · MO		Jan 30, 2001
Sen. Johnson, Tim [D-SD]	D · SD		Feb 8, 2001
Sen. Leahy, Patrick J. [D-VT]	D · VT		Feb 8, 2001
Sen. Reid, Harry [D-NV]	D · NV		Feb 8, 2001
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Feb 8, 2001
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Feb 27, 2001
Sen. Miller, Zell [D-GA]	D · GA		Feb 27, 2001
Sen. Edwards, John [D-NC]	D · NC		Mar 8, 2001
Sen. Dorgan, Byron L. [D-ND]	D · ND		Mar 14, 2001
Sen. Landrieu, Mary L. [D-LA]	D · LA		Mar 14, 2001
Sen. Graham, Bob [D-FL]	D · FL		Mar 15, 2001
Sen. Dodd, Christopher J. [D-CT]	D · CT		Mar 30, 2001

Committee Activity

Committee	Chamber	Activity	Date
Committee on House Administration	House	Referred To	May 22, 2001
Energy and Commerce Committee	House	Referred to	Jun 18, 2001
Judiciary Committee	House	Referred To	May 22, 2001
Rules and Administration Committee	Senate	Discharged From	Mar 19, 2001

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
107 HR 2356	Related bill	Mar 27, 2002: Became Public Law No: 107-155.

Bipartisan Campaign Reform Act of 2001 - **Title I: Reduction of Special Interest Influence** - Amends the Federal Election Campaign Act of 1971 (FECA) with respect to soft money to prohibit: (1) a national committee of a political party (including specified related entities) from soliciting or receiving contributions or making expenditures not subject to FECA; (2) a national, State, district, or local committee of a political party from soliciting or donating funds to a tax-exempt organization; and (3) a candidate or an incumbent for Federal office from soliciting or receiving funds not subject to FECA, or from soliciting, receiving, directing, transferring, or spending funds in connection with any election other than an election for Federal office, or disbursing funds in connection with such an election unless the funds are not in excess of permitted amounts, and are not from prohibited sources.

(Sec. 101) Exempts from the latter prohibition the solicitation, receipt, or spending of funds by a candidate for a State or local office if it is permitted under State law for any non-Federal election activity that refers to a clearly identified candidate for election to Federal office. Requires a State, district, or local committee of a political party to make expenditures or disbursements (with exceptions) for specified Federal election activities from funds subject to FECA. Limits to funds subject to FECA any amount spent by national, State, district, and local committees to raise funds used to pay the costs of a Federal election activity.

(Sec. 102) Establishes an individual annual limit of \$10,000 for contributions by a State committee. Increases the aggregate individual contribution limit from \$25,000 to \$30,000.

(Sec. 103) Requires national and State committees to report all receipts and disbursements. Repeals the building fund exception to the definition of contribution (thus extending FECA coverage to contributions to a national or State committee building fund for office facilities not acquired to influence the election of particular candidates).

Title II: Noncandidate Campaign Expenditures - Subtitle A: Electioneering Communications - Amends FECA to: (1) require every person who makes a disbursement for electioneering communications exceeding \$10,000 in the aggregate during any calendar year to file with the Federal Elections Commission (FEC) a statement containing specified information; (2) treat a disbursement for any broadcast electioneering communication that is coordinated with a candidate (or his or her authorized committee), a Federal, State, or local political party or committee, as a contribution to the candidate supported by the electioneering communication or that candidate's party and as an expenditure by that candidate or that candidate's party; and (3) set forth special operating rules prohibiting corporate and labor disbursements for electioneering communications and special rules relating to certain targeted electioneering communications.

Subtitle B: Independent and Coordinated Expenditures - Amends FECA to define the term "independent expenditure" as an expenditure: (1) by a person expressly advocating the election or defeat of a clearly identified candidate; and (2) that is not a coordinated activity with the candidate or the candidate's agent or a person who has engaged in coordinated activity with such candidate or such candidate's agent.

(Sec. 212) Revises independent expenditure reporting requirements.

(Sec. 213) Prohibits a party from making both independent and coordinated expenditures with respect to a candidate during the same election cycle.

(Sec. 214) Treats a coordinated expenditure or disbursement as a contribution.

Title III: Miscellaneous - Amends FECA to revise provisions on permitted and prohibited uses of contributed amounts by

candidates and incumbents for certain purposes. Specifies prohibited kinds of conversion of such funds to personal use.

(Sec. 302) Amends the Federal criminal code to revise the prohibition against fundraising on Federal property. Prohibits an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress from soliciting from any person a donation of money or other thing of value in connection with a Federal, State, or local election, while in any room or building occupied in the discharge of official duties by an officer or employee of the United States. Establishes criminal penalties for violations. Excepts from the prohibition contributions received in certain circumstances by the staff of the Executive Office of the President.

(Sec. 303) Amends FECA to extend to donations the ban on contributions by foreign nationals.

(Sec. 304) Increases individual contribution limits if the opposition personal funds amount with respect to a candidate for election to the office of Senator exceeds the threshold amount determined in accordance with a specified formula.

(Sec. 305) Amends the Communications Act of 1934 with regard to television media rates, to provide that the charges made for the use of any television broadcast station, or by a provider of cable or satellite television service, to any person who is legally qualified candidate for any public office in connection with the campaign of such candidate for nomination for election, or election, to such office shall not exceed the lowest charge of the station for the same amount of time for the same period.

(Sec. 306) Requires any Federal candidate to meet specified content requirements for television and radio broadcasts in order to be entitled to receive the lowest unit broadcast rate. Directs the FEC, during a specified period before a primary or a general election, to conduct random audits of designated market areas to ensure that each televised broadcast station, and provider of cable or satellite service, in those markets is allocating television broadcast advertising time in accordance with this Act and the Communications Act of 1934.

(Sec. 307) Amends FECA to direct the FEC to promulgate standards for vendors to develop software that: (1) permits candidates to easily record information concerning receipts and disbursements required to be reported at the time of the receipt or disbursement; (2) allows such recorded information to be transmitted immediately to the FEC; and (3) allows the FEC to post the information on the Internet immediately upon receipt. Requires the FEC to make a copy of the software that meets such promulgated standards available to each person required to file a report in electronic form under this Act.

(Sec. 308) Increases: (1) the limits on individual contributions to individual candidates from \$1,000 to \$2,000, and to non-candidate political committees from \$20,000 to \$25,000; (2) the annual, aggregate individual contribution limit from \$30,000 to \$37,500; and (3) the annual Senatorial Campaign Committee limit from \$17,500 to \$35,000. Provides for the indexing of contribution limits.

(Sec. 309) Amends the Communications Act of 1934 to condition television media rates for national committees of political parties on voluntary adherence to existing coordinated expenditure limits under FECA, with such rate not available for independent expenditures.

(Sec. 310) Amends Federal law on presidential inaugural ceremonies to: (1) require disclosure of donations over \$200 to the committee appointed by the President-elect to be in charge of the presidential inaugural ceremony and related functions and activities; and (2) prohibit foreign national donations to such a committee.

(Sec. 311) Amends FECA to prohibit any person from: (1) fraudulently misrepresenting a person as speaking, writing, or

otherwise acting for or on behalf of any candidate or political party or employee or agent thereof for the purpose of soliciting contributions or donations; or (2) willfully and knowingly participating in or conspiring to participate in any plan, scheme, or design to violate such prohibition against the fraudulent solicitation of contributions or donations.

(Sec. 312) Directs the Comptroller General to study and report to Congress on the clean money clean elections laws of Arizona and Maine that provide in whole or in part for the public financing of election campaigns.

(Sec. 313) Amends FECA with regard to publication and distribution of statements and solicitations and charge for newspaper or magazine space to outline specifications for: (1) printed communications soliciting any contribution for expressly advocating the election or defeat of a clearly identified candidate; and (2) certain audio statements and television communications used in election-related advertising.

(Sec. 314) Revises enforcement provisions providing for penalties for knowing and willful FECA violations involving the making, receiving, or reporting of any contribution or expenditure aggregating \$2,000 or more during a calendar year. Includes donations with contributions and expenditures within such penalty provisions, and increases the penalty for violations involving the making, receiving, or reporting of any contribution, donation, or expenditure aggregating \$25,000 or more during a calendar year.

(Sec. 315) Increases from three to five years the statute of limitations for prosecution of FECA violations with respect to disclosure of Federal campaign funds.

(Sec. 316) Directs the United States Sentencing Commission to: (1) promulgate a guideline, or amend a specified existing guideline, for penalties for violations of FECA and related election laws; and (2) submit to Congress an explanation of any guidelines so promulgated and any legislative or administrative recommendations regarding enforcement of FECA and related election laws.

(Sec. 317) Amends FECA to provide for an increase in: (1) the civil money penalty imposed for a knowing and willful violation of FECA's prohibition on contributions made in the name of another person by someone else; and (2) the criminal penalty imposed for a similar violation.

(Sec. 318) Provides that, for purposes of determining the aggregate amount of expenditures from the personal funds made by the candidate with respect to the election, such amount shall include the gross receipts advantage of the candidate's authorized committee (thus placing a restriction on increased individual contribution limits by taking into account the candidate's available funds).

Title IV: Severability; Effective Date - Sets forth provisions regarding severability, expedited review of constitutional issues, and effective date.

Title V: Additional Disclosure Provisions - Amends FECA to direct the FEC to make any report filed with it available for public inspection in FEC offices, and publicly accessible on the Internet, not later than 48 hours after receipt (24 hours in the case of a designation, statement, report, or notification filed electronically).

(Sec. 502) Directs the FEC to maintain a central site on the Internet to make publicly accessible all publicly available election-related reports and information.

(Sec. 503) Amends FECA to require: (1) additional monthly and quarterly reporting by principal campaign committees; and (2) monthly reporting by national committees of a political party.

(Sec. 504) Amends the Communications Act of 1934 to require a licensee to maintain and make available for public

inspection a complete record containing specified information of a request to purchase broadcast time that: (1) is made by or on behalf of a legally qualified candidate for public office; or (2) communicates a message relating to any political matter of national importance.

Actions Timeline

- **Jun 18, 2001:** Referred to the Subcommittee on Telecommunications and the Internet, for a period to be subsequently determined by the Chairman.
- **May 22, 2001:** Message on Senate action sent to the House.
- **May 22, 2001:** Received in the House.
- **May 22, 2001:** Referred to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Apr 2, 2001:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 59 - 41. Record Vote Number: 64.(consideration: CR S3233-3261; text: CR 4/5/2001 S3625-3633)
- **Apr 2, 2001:** Passed Senate with amendments by Yea-Nay Vote. 59 - 41. Record Vote Number: 64. (consideration: CR S3233-3261; text: CR 4/5/2001 S3625-3633)
- **Apr 2, 2001:** Measure amended in Senate by unanimous consent after passage.
- **Mar 30, 2001:** Considered by Senate. (consideration: CR S3183-3198)
- **Mar 29, 2001:** Considered by Senate. (consideration: CR S3070-3141)
- **Mar 28, 2001:** Considered by Senate. (consideration: CR S3005-3019, S3022-3048)
- **Mar 27, 2001:** Considered by Senate. (consideration: CR S2923-2972)
- **Mar 26, 2001:** Considered by Senate. (consideration: CR S2845-2853, S2882-2890)
- **Mar 23, 2001:** Considered by Senate. (consideration: CR S2795-2807)
- **Mar 22, 2001:** Considered by Senate. (consideration: CR S2682-2688, S2690-2717)
- **Mar 21, 2001:** Considered by Senate. (consideration: CR S2603-2656)
- **Mar 20, 2001:** Considered by Senate. (consideration: CR S2536-2571)
- **Mar 19, 2001:** Senate Committee on Rules and Administration discharged. pursuant to the order of February 6, 2001.
- **Mar 19, 2001:** Senate Committee on Rules and Administration discharged. pursuant to the order of February 6, 2001.
- **Mar 19, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S2433-2469)
- **Jan 22, 2001:** Introduced in Senate
- **Jan 22, 2001:** Sponsor introductory remarks on measure. (CR S298-299)
- **Jan 22, 2001:** Read twice and referred to the Committee on Rules and Administration.