## **OUTLINE OF CONTENTS**

Foreword	F-1
PART ONE: PRINCIPLES OF GENERAL CONCERN	
Chapter One: The Constitutional Framework of Buckley v. Valeo	
<ul> <li>I. Contribution and Expenditure Limitations <ul> <li>A. General Principles</li> <li>B. Contribution Limitations</li> <li>1. The \$1,000 Limit on Contributions to Candidates</li> <li>2. Other Contribution Limitations</li> <li>C. Expenditure Limitations</li> <li>1. The \$1,000 Limitation on Independent Expenditures</li> <li>2. Other Expenditure Limitations</li> </ul> </li> </ul>	I-2 I-3 I-3 I-3 I-4 I-4
II. Reporting and Disclaimer Requirements	I-6
III. Public Financing of Presidential Election Campaigns	I-7
Buckley Reaffirmed: Nixon v. Shrink Missouri Government PAC	I-9
Giant Loophole Successfully Closed: McConnell v. FEC	I-11
I. Soft Money	I-11
II. Express Advocacy, Issue Advocacy, and Electioneering Communications	I-13
III. Other Holdings in <i>McConnell</i> A. Coordination B. Miscellaneous	I-14 I-15 I-15
Two Steps Forward, Now One Step Back: Randall v. Sorrell	I-16
I. Spending Limits	I-16
II. Contribution Limits	I-16

Chapter Two: Drafting Laws to Survive Challenge	II-1
I. Legislative Findings	II-1
II. Statutory Purposes	II-3
III. Clarity and Precision	II-4
IV. Scope	II-4
V. Enforcement	II-5
VI. Red Flags	II-5
VII. Severability Clauses	II-7
PART TWO: DRAFTING SPECIFIC CAMPAIGN FINANCE	REFORMS
Chapter Three: The Financing of Candidates' Campaigns	III-1
I. Financial Limits on Contributions  A. Limits on Contributions from Individuals  1. First Amendment Analysis  2. Equal Protection Analysis  B. Limits on Contributions from PACs  C. Political Parties  D. Loans	III-1 III-2 III-5 III-14 III-15 III-17
II. Source Limits on Contributions A. Geographic Limits on Contributions B. Corporate and Union Contributions C. Contributions from Lobbyists, Contractors and Regulated Industries D. Government Employees E. Inter-Candidate Transfers F. Bundling G. Aggregate Limits on PACs or Special Interest Sources	III-21 III-22 III-24 III-26 III-29 III-30 III-31 III-33
III. Time Limits on Fundraising A. Legislative Session Bans B. Post-Election and Off-Year Fundraising Bans VI. Spend-Down Provisions	III-36 III-37 III-41 III-43
1	10

Chapter Four: The Financing of Political Organizations	IV-1
I. PACs	IV-1
II. Independent Expenditure Committees	IV-4
III. Political Parties	IV-6
IV. A Note on Candidate Contributions to Non-Political Organizations	IV-12
Chapter Five: Limits on Candidate Spending	V-]
I. Voluntary Spending Limits A. Contribution "Cap Gaps" B. Informed Voter Provisions 1. Ballot Notations 2. Statements in Official Voter Pamphlets 3. Advertising Disclosure Requirements	V-1 V-3 V-3 V-4 V-5
<ul><li>II. Mandatory Spending Limits</li><li>A. Candidate Self-Financing</li><li>B. Spending By Campaign Committees</li></ul>	V-0 V-9 V-10
Chapter Six: Limits on Independent Expenditures	VI-
I. The General Rule: No Monetary Limits on Independent Expenditures	VI-1
II. The Lone Exception: Corporations and Unions	VI-0
III. "Independent" vs. "Coordinated" Expenditures	VI-7
Chapter Seven: Campaign Advertising and Issue Advocacy	VII-
I. "Electioneering Communications" Under BCRA: The Time-Frame Test	VII-2
II. Magic Words	VII-10
III. The "Reasonable Person" Test and the Use of Context	VII-12
IV. The Future of the "Issue Advocacy" Loophole	VII-18

Chapter Eight: Reporting and Disclaimer Rules	VIII-1
I. Reporting Requirements A. Reporting of Contributions and Candidates' Expenditures	VIII-1 VIII-7
B. Reporting of Independent Expenditures	VIII-10
II. Disclaimer Requirements	VIII-12
Chapter Nine: Public Financing of Candidates' Campaigns	IX-1
I. Full and Partial Public Funding: "Clean Money"	
and Matching Systems	IX-2
A. Eligibility Criteria	IX-3
B. Allocation of Public Funds	IX-5
C. Voluntary Spending Limits	IX-8
1. The Legal Standard, Generally	IX-11
a. The Coercion Analysis	IX-11
b. Application of Strict Scrutiny	IX-13
2. Application of the Legal Standard to Trigger Provisions	IX-14
a. Spending by Nonparticipating Candidates	IX-14
b. Independent Expenditures by Third Parties	IX-15
D. Reporting Requirements	IX-17
E. Administration and Enforcement	IX-18
F. Sources of Public Funding	IX-20
II. Refunds and Tax Incentives for Small Contributions	IX-21
III. Free or Reduced-Rate TV and Radio Air Time	IX-22
Epilogue: A Note on Local Legislation	E-1
APPENDICES	
Appendix A: Chapter-by-Chapter Table of Cited Cases	A-1
Appendix B: Lay Person's Guide to Federal Courts	B-1
Appendix C: List of Cited Articles and Books	C-1
Appendix D: Selected List of National Organizations Offering Resources for Campaign Finance Reformers	D-1