

105TH CONGRESS
1ST SESSION

H. R. 179

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election to Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. GOODLING introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committees on Commerce, and Government Reform and Oversight, 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

A BILL

To amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election to Federal office, and for other purposes.

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.**

4 This Act may be cited as the “Clean Sweep Act of
5 1997”.

1 **SEC. 2. REQUIRING MAJORITY OF HOUSE OF REPRESENTA-**
 2 **TIVES CANDIDATE’S CONTRIBUTORS TO RE-**
 3 **SIDE IN DISTRICT.**

4 Section 315 of the Federal Election Campaign Act
 5 of 1971 (2 U.S.C. 441a) is amended by adding at the end
 6 the following new subsection:

7 “(i)(1) The number of persons from whom a House
 8 candidate accepts contributions with respect to an election
 9 cycle who are not residents of the congressional district
 10 involved may not exceed the number of persons from
 11 whom the candidate accepts contributions with respect to
 12 the election cycle who are residents of the congressional
 13 district involved.

14 “(2) Paragraph (1) shall not apply with respect to
 15 contributions from a national, State, district, or local po-
 16 litical party committee (including any subordinate commit-
 17 tee thereof).

18 “(3) In this subsection, the term ‘House candidate’
 19 means a candidate for the office of Representative in, or
 20 Delegate or Resident Commissioner to, the Congress.”.

21 **SEC. 3. BAN ON ACTIVITIES OF POLITICAL ACTION COM-**
 22 **MITTEES IN FEDERAL ELECTIONS.**

23 (a) IN GENERAL.—Title III of the Federal Election
 24 Campaign Act of 1971 (2 U.S.C. 301 et seq.) is amended
 25 by adding at the end the following new section:

1 “BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL
2 ACTION COMMITTEES

3 “SEC. 323. (a) IN GENERAL.—Notwithstanding any
4 other provision of this Act, no political action committee
5 may make contributions, solicit or receive contributions,
6 or make expenditures for the purpose of influencing an
7 election for Federal office.

8 “(b) POLITICAL ACTION COMMITTEE DEFINED.—In
9 this section, the term ‘political action committee’ means
10 any political committee which is not—

11 “(1) the principal campaign committee of a
12 candidate; or

13 “(2) a national, State, district, or local political
14 party committee (including any subordinate commit-
15 tee thereof).”.

16 (b) CONFORMING AMENDMENTS.—(1) Section
17 301(4)(A) of such Act (2 U.S.C. 431(4)(A)) is amended
18 by inserting after “persons” the following: “(but not in-
19 cluding a partnership for purposes of section 323(b))”.

20 (2) Section 316(b)(2) of such Act (2 U.S.C.
21 441b(b)(2)) is amended—

22 (A) by adding “and” at the end of subpara-
23 graph (A);

24 (B) by striking “; and” at the end of subpara-
25 graph (B) and inserting a period; and

1 (C) by striking subparagraph (C).

2 **SEC. 4. LIMIT ON CONTRIBUTIONS OF PERSONAL FUNDS**
 3 **OF CANDIDATE.**

4 Section 315 of the Federal Election Campaign Act
 5 of 1971 (2 U.S.C. 441a), as amended by section 2, is fur-
 6 ther amended by adding at the end the following new sub-
 7 section:

8 “(j) A candidate for the office of Representative in,
 9 or Delegate or Resident Commissioner to, the Congress
 10 may not accept contributions or loans of the candidate’s
 11 personal funds (including funds of members of the can-
 12 didate’s immediate family) during a calendar year which
 13 in the aggregate exceed \$50,000.”.

14 **SEC. 5. BAN ON USE OF SOFT MONEY.**

15 Title III of the Federal Election Campaign Act of
 16 1971 (2 U.S.C. 431 et seq.), as amended by section 3,
 17 is further amended by adding at the end the following new
 18 section:

19 “LIMITATIONS AND REPORTING REQUIREMENTS FOR
 20 AMOUNTS PAID FOR MIXED POLITICAL ACTIVITIES

21 “SEC. 324. (a) IN GENERAL.—Any payment by the
 22 national, State, or local committee of a political party (in-
 23 cluding any subordinate committee thereof) for a mixed
 24 political activity—

1 “(1) shall be subject to limitation and reporting
 2 under this Act as if such payment were an expendi-
 3 ture; and

4 “(2) may be paid only from an account that is
 5 subject to the requirements of this Act.

6 “(b) MIXED POLITICAL ACTIVITY DEFINED.—As
 7 used in this section, the term ‘mixed political activity’
 8 means an activity which is both for the purpose of influ-
 9 encing an election for Federal office and for any purpose
 10 unrelated to influencing an election for Federal office, in-
 11 cluding voter registration, absentee ballot programs, and
 12 get-out-the-vote programs.”.

13 **SEC. 6. AVAILABILITY OF FREE BROADCAST TIME FOR CAN-**
 14 **DIDATES ADOPTING VOLUNTARY SPENDING**
 15 **LIMITS.**

16 (a) VOLUNTARY LIMITS DESCRIBED.—Title III of
 17 the Federal Election Campaign Act of 1971 (2 U.S.C. 431
 18 et seq.), as amended by sections 3 and 5, is further
 19 amended by adding at the end the following new section:

20 “ELIGIBILITY FOR REDUCED BROADCAST RATES FOR
 21 CANDIDATES LIMITING EXPENDITURES

22 “SEC. 325. (a) ELIGIBILITY.—At the request of a
 23 candidate for election as a Member of, or Resident Com-
 24 missioner or Delegate to, the House of Representatives,

1 the Commission shall issue a certification that the can-
2 didate is eligible with respect to an election cycle for re-
3 duced broadcast rates under section 315(c) of the Commu-
4 nications Act of 1934 if the candidate certifies that the
5 total amount of expenditures made in support of the can-
6 didate's election during the cycle will not exceed \$600,000.

7 “(b) PROCESS FOR CERTIFICATION.—

8 “(1) CERTIFICATION OF BENEFITS.—

9 “(A) DEADLINE FOR RESPONSE TO RE-
10 QUESTS.—The Commission shall respond to a
11 candidate's request for certification under this
12 subsection not later than 5 days after the can-
13 didate submits the request.

14 “(B) REQUESTS.—Any request for certifi-
15 cation submitted by a candidate shall contain—

16 “(i) such information and be made in
17 accordance with such procedures as the
18 Commission may provide by regulation;
19 and

20 “(ii) a verification signed by the can-
21 didate and the treasurer of the principal
22 campaign committee of such candidate
23 stating that the information furnished in
24 support of the request, to the best of their

1 knowledge, is correct and fully satisfies the
2 requirement of this title.

3 “(2) GROUNDS FOR DETERMINATION.—The
4 Commission shall make an initial determination of a
5 candidate’s eligibility for certification under this sec-
6 tion based on the candidate’s filings under this title.
7 Any subsequent determination shall be based on rel-
8 evant additional information submitted in such form
9 and manner as the Commission may require.

10 “(3) WITHDRAWAL OF CERTIFICATION.—If the
11 Commission determines that a candidate for whom
12 a certification has been issued under this section no
13 longer meets the requirements for such certification,
14 the Commission shall revoke the candidate’s certifi-
15 cation.

16 “(c) PENALTY FOR SPENDING IN EXCESS OF
17 LIMIT.—Any candidate for whom a certification has been
18 issued under this section with respect to an election cycle
19 who makes expenditures during the cycle in an amount
20 greater than the amount of the limit described in sub-
21 section (a) shall pay to the Commission an amount equal
22 to twice the difference between the total amount of ex-
23 penditures made in support of the candidate’s election
24 during the cycle and the amount of the limit.”.

25 (b) FREE BROADCAST TIME.—

1 (1) IN GENERAL.—Section 315 of the Commu-
2 nications Act of 1934 (47 U.S.C. 315) is amended—

3 (A) in subsection (a), by striking “within
4 the meaning of this subsection” and inserting
5 “within the meaning of this subsection and sub-
6 section (c)”;

7 (B) in subsection (b), by striking “The
8 charges” and inserting “Except as provided in
9 subsection (c), the charges”;

10 (C) by redesignating subsections (c) and
11 (d) as subsections (d) and (e); and

12 (D) by inserting after subsection (b) the
13 following new subsection:

14 “(c)(1) A candidate for election as a Member of, or
15 Resident Commissioner or Delegate to, the House of Rep-
16 resentatives for whom a certification is in effect under sec-
17 tion 325 of the Federal Election Campaign Act of 1971
18 shall be entitled to receive a total of 30 minutes of free
19 broadcast time from broadcasting stations within the
20 State or an adjacent State, of which at least 20 minutes
21 shall be made available between 7:00 p.m. and 11:00 p.m.
22 on any day that falls on Monday through Friday. A can-
23 didate may not request that more than 15 minutes of free
24 broadcast time be aired pursuant to this subsection by any
25 one broadcasting station.

1 “(2) In the case of an election where only 1 candidate
2 qualifies to be on the ballot, no time shall be required to
3 be provided by a licensee pursuant to this subsection.

4 “(3)(A) The amount of broadcast time that shall be
5 provided pursuant to this subsection to the candidate of
6 a minor party shall be equal to the number of minutes
7 allocable to the House district involved multiplied by the
8 percentage of the number of popular votes received by the
9 candidate of that party in the preceding general election
10 for the House of Representatives in the district.

11 “(B) In subparagraph (A), the term ‘minor party’
12 means, with respect to an election for Member of, or Resi-
13 dent Commissioner or Delegate to, the House of Rep-
14 resentatives, a political party—

15 “(i) whose candidate for such office in the pre-
16 ceding general election in the district involved re-
17 ceived 5 percent or more but less than 25 percent
18 of the number of popular votes received by all can-
19 didates for the office; or

20 “(ii) whose candidate for such office in the cur-
21 rent general election in the district involved has ob-
22 tained the signatures of at least 5 percent of the dis-
23 trict’s registered voters, as determined by the chief
24 voter registration official of the State, in support of

1 a petition for an allocation of free broadcast time
2 under this subsection.

3 “(4) The Commission shall by regulation exempt
4 from the requirements of this subsection—

5 “(A) a licensee whose signal is broadcast sub-
6 stantially nationwide; and

7 “(B) a licensee for whom the Commission de-
8 termines that meeting the requirements will impose
9 a significant financial hardship.”.

10 (2) MEETING REQUIREMENT AS CONDITION OF
11 GRANTING OR RENEWAL OF LICENSE.—Section 307
12 of such Act (47 U.S.C. 307) is amended by adding
13 at the end the following new subsection:

14 “(f) The continuation of an existing license, the re-
15 newal of an expiring license, and the issuance of a new
16 license shall be expressly conditioned on the agreement by
17 the licensee or the applicant to meet the requirements of
18 section 315(c).”.

19 **SEC. 7. PROHIBITING CONTRIBUTIONS BY NONCITIZEN IN-**
20 **DIVIDUALS.**

21 Section 319(b)(2) of the Federal Election Campaign
22 Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by striking
23 “and who is not lawfully admitted” and all that follows
24 and inserting a period.

1 **SEC. 8. BAN ON CASH CONTRIBUTIONS.**

2 Section 321 of the Federal Election Campaign Act
3 of 1971 (2 U.S.C. 441g) is amended to read as follows:

4 “BAN ON CONTRIBUTION OF CURRENCY

5 “SEC. 321. No person may make any contribution of
6 currency of the United States or currency of any foreign
7 country to any candidate or political committee with re-
8 spect to any campaign for election to Federal office.”.

9 **SEC. 9. AMENDMENTS RELATING TO MASS MAILINGS SENT**
10 **BY MEMBERS OF THE HOUSE OF REPRESENT-**
11 **ATIVES.**

12 (a) IN GENERAL.—Section 3210(a)(6) of title 39,
13 United States Code, is amended by adding at the end the
14 following:

15 “(G) Effective with respect to mailings made during
16 sessions of Congress beginning after December 31, 1999,
17 for purposes of applying any provision of law with respect
18 to a Member of, or Member-elect to, the House—

19 “(i) ‘90 days’ shall be substituted for ‘60 days’
20 each place it appears in subparagraph (A); and

21 “(ii) ‘100 pieces’ shall be substituted for ‘500
22 pieces’ in subparagraph (E).”.

23 (b) CONFORMING AMENDMENTS.—Section
24 3210(a)(6) of title 39, United States Code, as amended
25 by subsection (a), is further amended—

1 (1) in subparagraph (A) by striking “It” and
2 inserting “Subject to subparagraph (G), it”; and
3 (2) in subparagraph (E) by striking “As” and
4 inserting “Subject to subparagraph (G), as”.

5 **SEC. 10. REPORT ON EFFECTS OF CHANGES.**

6 Not later than 3 months after the first general elec-
7 tions for the House of Representatives which are held
8 after December 31, 1998, the Committee on House Over-
9 sight of the House of Representatives shall submit a re-
10 port to the President and to Congress analyzing the effects
11 on such elections of this Act and the amendments made
12 by this Act.

13 **SEC. 11. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with
15 respect to elections held after December 31, 1998.

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