

105TH CONGRESS
1ST SESSION

H. R. 458

To amend the Federal Election Campaign Act of 1971 to ban soft money
in elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1997

Mr. CLEMENT introduced the following bill; which was referred to the
Committee on House Oversight

A BILL

To amend the Federal Election Campaign Act of 1971 to
ban soft money in elections for 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 “Campaign Truth and
5 Fairness Act of 1997”.

6 **SEC. 2. BAN ON SOFT MONEY IN ELECTIONS FOR FEDERAL**
7 **OFFICE.**

8 (a) SOFT MONEY OF COMMITTEES OF POLITICAL
9 PARTIES.—Title III of the Federal Election Campaign Act

1 of 1971 is amended by adding at the end the following
 2 new section:

3 “SOFT MONEY OF POLITICAL PARTY COMMITTEES

4 “SEC. 323. (a) LIMITATIONS ON NATIONAL COMMIT-
 5 TEE.—(1) A national committee of a political party and
 6 the congressional campaign committees of a political party
 7 may not solicit or accept contributions or transfers not
 8 subject to the limitations, prohibitions, and reporting re-
 9 quirements of this Act.

10 “(2) Paragraph (1) shall not apply to contributions—

11 “(A) that—

12 “(i) are to be transferred to a State com-
 13 mittee of a political party and are used solely
 14 for activities described in clauses (xi) through
 15 (xvii) of paragraph (9)(B) of section 301; or

16 “(ii) are described in section
 17 301(8)(B)(viii); and

18 “(B) with respect to which contributors have
 19 been notified that the funds will be used solely for
 20 the purposes described in subparagraph (A).

21 “(b) ACTIVITIES SUBJECT TO THIS ACT.—Any
 22 amount solicited, received, expended, or disbursed directly
 23 or indirectly by a national, State, district, or local commit-
 24 tee of a political party with respect to any of the following
 25 activities shall be subject to the limitations, prohibitions,
 26 and reporting requirements of this Act:

1 “(1)(A) Any get-out-the-vote activity conducted
2 during a calendar year in which an election for the
3 office of President is held.

4 “(B) Any other get-out-the-vote activity unless
5 subsection (c)(2) applies to the activity.

6 “(2) Any generic campaign activity.

7 “(3) Any activity that identifies or promotes a
8 Federal candidate, regardless of whether—

9 “(A) a State or local candidate is also
10 identified or promoted; or

11 “(B) any portion of the funds disbursed
12 constitutes a contribution or expenditure under
13 this Act.

14 “(4) Voter registration.

15 “(5) Development and maintenance of voter
16 files during an even-numbered calendar year.

17 “(6) Any other activity that—

18 “(A) significantly affects a Federal elec-
19 tion, or

20 “(B) is not otherwise described in section
21 301(9)(B)(xvii).

22 Any amount spent to raise funds that are used, in whole
23 or in part, in connection with activities described in the
24 preceding paragraphs shall be subject to the limitations,
25 prohibitions, and reporting requirements of this Act.

1 “(c) GET-OUT-THE-VOTE ACTIVITIES BY STATE,
2 DISTRICT, AND LOCAL COMMITTEES OF POLITICAL PAR-
3 TIES.—(1) Except as provided in paragraph (2), any get-
4 out-the-vote activity for a State or local candidate, or for
5 a ballot measure, which is conducted by a State, district,
6 or local committee of a political party shall be subject to
7 the limitations, prohibitions, and reporting requirements
8 of this Act.

9 “(2) Paragraph (1) shall not apply to any activity
10 which the State committee of a political party certifies to
11 the Commission is an activity which—

12 “(A) is conducted during a calendar year other
13 than a calendar year in which an election for the of-
14 fice of President is held,

15 “(B) is exclusively on behalf of (and specifically
16 identifies only) one or more State or local candidates
17 or ballot measures, and

18 “(C) does not include any effort or means used
19 to identify or turn out those identified to be support-
20 ers of any Federal candidate (including any activity
21 that is undertaken in coordination with, or on behalf
22 of, a candidate for Federal office).

23 “(d) STATE PARTY GRASSROOTS FUNDS.—(1) A
24 State committee of a political party may make disburse-

1 ments and expenditures from its State Party Grassroots
2 Fund only for—

3 “(A) any generic campaign activity;

4 “(B) payments described in clauses (v), (x), and
5 (xii) of paragraph (8)(B) and clauses (iv), (viii), and
6 (ix) of paragraph (9)(B) of section 301;

7 “(C) subject to the limitations of section
8 315(d), payments described in clause (xii) of para-
9 graph (8)(B), and clause (ix) of paragraph (9)(B),
10 of section 301 on behalf of candidates other than for
11 President and Vice President;

12 “(D) voter registration; and

13 “(E) development and maintenance of voter
14 files during an even-numbered calendar year.

15 “(2) Notwithstanding section 315(a)(4), no funds
16 may be transferred by a State committee of a political
17 party from its State Party Grassroots Fund to any other
18 State Party Grassroots Fund or to any other political com-
19 mittee, except a transfer may be made to a district or local
20 committee of the same political party in the same State
21 if such district or local committee—

22 “(A) has established a separate segregated fund
23 for the purposes described in paragraph (1); and

24 “(B) uses the transferred funds solely for those
25 purposes.

1 “(e) AMOUNTS RECEIVED BY GRASSROOTS FUND
2 FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1)
3 Any amount received by a State Party Grassroots Fund
4 from a State or local candidate committee for expenditures
5 described in subsection (b) that are for the benefit of that
6 candidate shall be treated as meeting the requirements of
7 subsection (b) if—

8 “(A) such amount is derived from funds which
9 meet the requirements of this Act with respect to
10 any limitation or prohibition as to source or dollar
11 amount specified in section 315(a) (1)(A) and
12 (2)(A); and

13 “(B) the State or local candidate committee—

14 “(i) maintains, in the account from which
15 payment is made, records of the sources and
16 amounts of funds for purposes of determining
17 whether such requirements are met; and

18 “(ii) certifies that such requirements were
19 met.

20 “(2) For purposes of paragraph (1)(A), in determin-
21 ing whether the funds transferred meet the requirements
22 of this Act described in such paragraph—

23 “(A) a State or local candidate committee’s
24 cash on hand shall be treated as consisting of the
25 funds most recently received by the committee, and

1 “(B) the committee must be able to dem-
 2 onstrate that its cash on hand contains sufficient
 3 funds meeting such requirements as are necessary to
 4 cover the transferred funds.

5 “(3) Notwithstanding paragraph (1), any State Party
 6 Grassroots Fund receiving any transfer described in para-
 7 graph (1) from a State or local candidate committee shall
 8 be required to meet the reporting requirements of this Act,
 9 and shall submit to the Commission all certifications re-
 10 ceived, with respect to receipt of the transfer from such
 11 candidate committee.

12 “(4) For purposes of this subsection, a State or local
 13 candidate committee is a committee established, financed,
 14 maintained, or controlled by a candidate for other than
 15 Federal office.

16 “(f) RELATED ENTITIES.—The provisions of this Act
 17 shall apply to any entity that is established, financed, or
 18 maintained by a national committee or State committee
 19 of a political party in the same manner as they apply to
 20 the national or State committee.”

21 (b) CONTRIBUTIONS AND EXPENDITURES.—

22 (1) CONTRIBUTIONS.—Section 301(8)(B) of
 23 such Act (2 U.S.C. 431(8)(B)) is amended—

24 (A) by striking “and” at the end of clause
 25 (xiii);

1 (B) by striking clause (xiv); and

2 (C) by adding at the end the following new
3 clauses:

4 “(xiv) any amount contributed to a
5 candidate for other than Federal office;

6 “(xv) any amount received or ex-
7 pended to pay the costs of a State or local
8 political convention;

9 “(xvi) any payment for campaign ac-
10 tivities that are exclusively on behalf of
11 (and specifically identify only) State or
12 local candidates and do not identify any
13 Federal candidate, and that are not activi-
14 ties described in section 323(b) (without
15 regard to paragraph (6)(B)) or section
16 323(c)(1);

17 “(xvii) any payment for administrative
18 expenses of a State or local committee of
19 a political party, including expenses for—

20 “(I) overhead, including party
21 meetings;

22 “(II) staff (other than individuals
23 devoting a significant amount of their
24 time to elections for Federal office
25 and individuals engaged in conducting

1 get-out-the-vote activities for a Fed-
2 eral election); and

3 “(III) conducting party elections
4 or caucuses;

5 “(xviii) any payment for research per-
6 taining solely to State and local candidates
7 and issues;

8 “(xix) any payment for development
9 and maintenance of voter files other than
10 during the 1-year period ending on the
11 date during an even-numbered calendar
12 year on which regularly scheduled general
13 elections for Federal office occur; and

14 “(xx) any payment for any other ac-
15 tivity which is solely for the purpose of in-
16 fluencing, and which solely affects, an elec-
17 tion for non-Federal office and which is
18 not an activity described in section 323(b)
19 (without regard to paragraph (6)(B)) or
20 section 323(c)(1).”.

21 (2) EXPENDITURES.—Section 301(9)(B) of
22 such Act (2 U.S.C. 431(9)(B)) is amended—

23 (A) by striking “and” at the end of clause
24 (ix);

1 (B) by striking the period at the end of
2 clause (x) and inserting a semicolon; and

3 (C) by adding at the end the following new
4 clauses:

5 “(xi) any amount contributed to a
6 candidate for other than Federal office;

7 “(xii) any amount received or ex-
8 pended to pay the costs of a State or local
9 political convention;

10 “(xiii) any payment for campaign ac-
11 tivities that are exclusively on behalf of
12 (and specifically identify only) State or
13 local candidates and do not identify any
14 Federal candidate, and that are not activi-
15 ties described in section 323(b) (without
16 regard to paragraph (6)(B)) or section
17 323(c)(1);

18 “(xiv) any payment for administrative
19 expenses of a State or local committee of
20 a political party, including expenses for—

21 “(I) overhead, including party
22 meetings;

23 “(II) staff (other than individuals
24 devoting a significant amount of their
25 time to elections for Federal office

1 and individuals engaged in conducting
2 get-out-the-vote activities for a Fed-
3 eral election); and

4 “(III) conducting party elections
5 or caucuses;

6 “(xv) any payment for research per-
7 taining solely to State and local candidates
8 and issues;

9 “(xvi) any payment for development
10 and maintenance of voter files other than
11 during the 1-year period ending on the
12 date during an even-numbered calendar
13 year on which regularly scheduled general
14 elections for Federal office occur; and

15 “(xvii) any payment for any other ac-
16 tivity which is solely for the purpose of in-
17 fluencing, and which solely affects, an elec-
18 tion for non-Federal office and which is
19 not an activity described in section 323(b)
20 (without regard to paragraph (6)(B)) or
21 section 323(c)(1).”.

1 **SEC. 3. EQUALIZATION OF MULTICANDIDATE POLITICAL**
 2 **COMMITTEE CANDIDATE CONTRIBUTION**
 3 **LIMITATION WITH LIMITATION APPLICABLE**
 4 **TO OTHER PERSONS.**

5 (a) PERSONS GENERALLY.—Section 315(a)(1)(A) of
 6 the Federal Election Campaign Act of 1971 (2 U.S.C.
 7 441a(a)(1)(A)) is amended by striking out “\$1,000” and
 8 inserting in lieu thereof “\$2,500”.

9 (b) MULTICANDIDATE POLITICAL COMMITTEES.—
 10 Section 315(a)(2)(A) of the Federal Election Campaign
 11 Act of 1971 (2 U.S.C. 441a(a)(2)(A)) is amended by
 12 striking out “\$5,000” and inserting in lieu thereof
 13 “\$2,500”.

14 **SEC. 4. LIMITATION ON PERSONAL CONTRIBUTIONS BY**
 15 **CANDIDATES IN HOUSE OF REPRESENTA-**
 16 **TIVES ELECTIONS.**

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

20 “(i) A candidate for the office of Representative in,
 21 or Delegate or Resident Commissioner to, the Congress
 22 may not make contributions of more than \$100,000 to the
 23 campaign of the candidate with respect to an election
 24 cycle. As used in this subsection, the term ‘election cycle’
 25 means, with respect to a candidate, the period beginning
 26 on the day after the date of the most recent general elec-

1 tion for the office involved and ending on the date of the
2 next general election for such office.”.

○