

104TH CONGRESS
1ST SESSION

H. R. 2565

To amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in House of Representatives elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 31, 1995

Mr. HORN (for himself, Mr. INGLIS of South Carolina, and Mrs. SMITH of Washington) 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 activities of political action committees in House of Representatives elections, 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. BAN ON ACTIVITIES OF POLITICAL ACTION**
4 **COMMITTEES IN HOUSE OF REPRESENTA-**
5 **TIVES ELECTIONS.**

6 (a) IN GENERAL.—Title III of the Federal Election
7 Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended
8 by adding at the end the following new section:

1 “BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES
2 IN HOUSE OF REPRESENTATIVES ELECTIONS

3 “SEC. 323. Notwithstanding any other provision of
4 this Act, no person other than an individual or a political
5 committee may make contributions, solicit or receive con-
6 tributions, or make expenditures for the purpose of influ-
7 encing an election for the office of Representative in, or
8 Delegate or Resident Commissioner to, the Congress.”.

9 (b) DEFINITION OF POLITICAL COMMITTEE.—(1)
10 Section 301(4) of the Federal Election Campaign Act of
11 1971 (2 U.S.C. 431(4)) is amended to read as follows:

12 “(4) The term ‘political committee’ means—

13 “(A) the principal campaign committee of a
14 candidate;

15 “(B) any national, State, or district committee
16 of a political party, including any subordinate com-
17 mittee thereof; and

18 “(C) any local committee of a political party
19 which—

20 “(i) receives contributions aggregating in
21 excess of \$5,000 during a calendar year;

22 “(ii) makes payments exempted from the
23 definition of contribution or expenditure under
24 paragraph (8) or (9) aggregating in excess of
25 \$5,000 during a calendar year; or

1 “(iii) makes contributions or expenditures
2 aggregating in excess of \$1,000 during a cal-
3 endar year.”.

4 (2) Section 316(b)(2) of the Federal Election Cam-
5 paign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by
6 striking out subparagraph (C).

7 (c) CANDIDATE’S COMMITTEES.—(1) Section 315(a)
8 of the Federal Election Campaign Act of 1971 (2 U.S.C.
9 441a(a)) is amended by adding at the end the following
10 new paragraph:

11 “(9) For the purposes of the limitations provided by
12 paragraphs (1) and (2), any political committee which is
13 established or financed or maintained or controlled by any
14 candidate or Federal officeholder shall be deemed to be
15 an authorized committee of such candidate or office-
16 holder.”.

17 (2) Section 302(e)(3) of the Federal Election Cam-
18 paign Act of 1971 (2 U.S.C. 432(e)(3)) is amended to
19 read as follows:

20 “(3) No political committee that supports or has sup-
21 ported more than one candidate may be designated as an
22 authorized committee, except that a candidate for the of-
23 fice of President nominated by a political party may des-
24 ignate the national committee of such political party as
25 the candidate’s principal campaign committee, but only if

1 that national committee maintains separate books of ac-
2 count with respect to its functions as a principal campaign
3 committee.”.

4 (d) RULES APPLICABLE WHEN BAN NOT IN EF-
5 FECT.—For purposes of the Federal Election Campaign
6 Act of 1971, during any period in which the limitation
7 under section 323 of that Act (as added by subsection (a))
8 is not in effect—

9 (1) the amendments made by subsections (a)
10 and (b) shall not be in effect; and

11 (2) it shall be unlawful—

12 (A) for any person that is treated as a po-
13 litical committee by reason of paragraph (1)
14 and is directly or indirectly established, admin-
15 istered, or supported by a connected organiza-
16 tion which is a corporation, labor organization,
17 or trade association to make contributions to
18 any candidate or the candidate’s authorized
19 committee; and

20 (B) for any person that is treated as a po-
21 litical committee by reason of paragraph (1)
22 and is not directly or indirectly established, ad-
23 ministered, or supported by a connected organi-
24 zation which is a corporation, labor organiza-
25 tion, or trade association to make contributions

1 to any candidate or the candidate's authorized
2 committee for any election aggregating in ex-
3 cess of \$1,000.

4 **SEC. 2. HOUSE OF REPRESENTATIVES ELECTION LIMITA-**
5 **TION ON CONTRIBUTIONS FROM PERSONS**
6 **OTHER THAN LOCAL INDIVIDUAL RESIDENTS.**

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

10 “(i)(1) A candidate for the office of Representative
11 in, or Delegate or Resident Commissioner to, the Congress
12 may not, with respect to a reporting period for an election,
13 accept contributions from persons other than local individ-
14 ual residents totaling in excess of the total of contributions
15 accepted from local individual residents.

16 “(2) As used in this subsection, the term ‘local indi-
17 vidual resident’ means an individual who resides in the
18 congressional district involved.

19 “(3)(A) Any candidate who accepts contributions that
20 exceed the limitation under this subsection with respect
21 to the pre-election report period or the post-election report
22 period shall pay to the Commission, for deposit in the
23 Treasury, an amount equal to 5 times the amount of the
24 excess contributions plus a civil penalty in an amount de-
25 termined by the Commission.

1 “(B) Any candidate who accepts contributions that
2 exceed the limitation under this subsection with respect
3 to a period other than a period referred to in subpara-
4 graph (A) shall pay to the Commission, for deposit in the
5 Treasury, an amount equal to 3 times the amount of the
6 excess contributions.

7 “(C) Each report under section 304(a)(6) shall in-
8 clude a certification by the treasurer of the committee that
9 the contributions reported do not exceed the limitation
10 under this subsection.”.

11 **SEC. 3. EXPENDITURE LIMITATION OF \$600,000 FOR EACH**
12 **HOUSE OF REPRESENTATIVES CANDIDATE.**

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

17 “(j) Notwithstanding any other provision of this Act,
18 a candidate for the office of Representative in, or Delegate
19 or Resident Commissioner to, the Congress may not make
20 expenditures of more than \$600,000 with respect to a gen-
21 eral election, including any primary election related to
22 such general election.”.

1 **SEC. 4. PERSONAL CONTRIBUTION LIMITATION OF \$100,000**
2 **FOR EACH HOUSE OF REPRESENTATIVES**
3 **CANDIDATE.**

4 Section 315 of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 441a), as amended by sections 2 and
6 3, is further amended by adding at the end the following
7 new subsection:

8 “(k) Notwithstanding any other provision of this Act,
9 a candidate for the office of Representative in, or Delegate
10 or Resident Commissioner to, the Congress may not make
11 personal contributions of more than \$100,000 with respect
12 to a general election, including any primary election relat-
13 ed to such general election.”.

14 **SEC. 5. BAN ON INDEPENDENT EXPENDITURES IN HOUSE**
15 **OF REPRESENTATIVES ELECTIONS.**

16 Title III of the Federal Election Campaign Act of
17 1971 (2 U.S.C. 431 et seq.), as amended by section 1,
18 is further amended by adding at the end the following new
19 section:

20 “BAN ON INDEPENDENT EXPENDITURES IN HOUSE OF
21 REPRESENTATIVES ELECTIONS

22 “SEC. 324. Notwithstanding any other provision of
23 this Act, no person may make any independent expendi-
24 ture with respect to an election for the office of Represent-
25 ative in, or Delegate or Resident Commissioner to, the
26 Congress.”.

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

3 Section 301 of the Federal Election Campaign Act
4 of 1971 (2 U.S.C. 431) is amended—

5 (1) in subparagraph (B) of paragraph (8), by
6 striking out “include—” in the matter before clause
7 (i) and all that follows through the end of the sub-
8 paragraph, and inserting in lieu thereof “include the
9 value of services provided without compensation by
10 any individual who volunteers on behalf of a can-
11 didate or political committee.”;

12 (2) by striking out paragraph (9)(B);

13 (3) by redesignating paragraph (9)(A) as para-
14 graph (9); and

15 (4) by redesignating clauses (i) and (ii) of para-
16 graph (9), as so redesignated by paragraph (3) of
17 this subsection, as subparagraphs (A) and (B), re-
18 spectively.

19 **SEC. 7. FRANKING PROVISIONS.**

20 (a) **LIMITATION ON MASS MAILINGS DURING AN**
21 **ELECTION YEAR.—**

22 (1) **IN GENERAL.—**Paragraph (6) of section
23 3210(a) of title 39, United States Code, is amended
24 by adding at the end the following:

25 “(G)(i) A Member of or Member-elect to the House
26 may not, during any even-numbered calendar year, mail

1 any mass mailing as franked mail which is postmarked
2 on or before the Tuesday next after the 1st Monday in
3 November of such year.

4 “(ii) Nothing in clause (i) shall be considered to make
5 permissible, with respect to the portion of the year remain-
6 ing after the Tuesday referred to in such clause, the mail-
7 ing of any mass mailing which would be impermissible
8 under any other provision of law or any rule or regula-
9 tion.”.

10 (2) CONFORMING AMENDMENT.—Subparagraph
11 (F) of section 3210(a)(6) of such title is amended by
12 striking “(A) and (C)” and inserting “(A), (C), and
13 (G),”.

14 (b) DEFINITION OF A MASS MAILING.—

15 (1) IN GENERAL.—Paragraph (6) of section
16 3210(a) of title 39, United States Code, as amended
17 by subsection (a), is further amended by adding at
18 the end the following:

19 “(H) For purposes of applying this section with re-
20 spect to a Member of or Member-elect to the House, sub-
21 paragraph (E) shall be deemed to be amended—

22 “(i) by striking ‘500’ and inserting ‘25’; and

23 “(ii) by striking ‘or’ at the end of clause (ii),
24 by striking the period at the end of clause (iii) and

1 inserting ‘; or’, and by adding after clause (iii) the
2 following:

3 “ ‘(iv) in furtherance of the administrative du-
4 ties of the Member.’ ”.

5 (2) CONFORMING AMENDMENT.—Subparagraph
6 (E) of section 3210(a)(6) of such title is amended
7 by striking “As used” and inserting “Subject to sub-
8 paragraph (H), as used”.

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect on the date of enactment of
11 this Act and shall apply with respect to mail sent on or
12 after such date. For purposes of any determination as to
13 whether or not a mailing sent by a Member of or Member-
14 elect to the House of Representatives constitutes a mass
15 mailing, mail sent before such date shall be considered
16 separately from any mail sent on or after such date.

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