

S. 3044

IN THE SENATE OF THE UNITED STATES

MARCH 27, 1974

Ordered to be printed

AMENDMENTS

Proposed by Mr. ALLEN to S. 3044, a bill to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns, viz:

1 On page 3, line 6, strike out "FEDERAL" and insert
2 in lieu thereof "PRESIDENTIAL".

3 On page 4, line 6, strike out the comma and insert in
4 lieu thereof a semicolon.

5 On page 4, beginning with line 7, strike out through
6 line 12.

7 On page 4, line 13, strike out "(5)" and insert in lieu
8 thereof "(4)".

9 On page 4, line 17, strike out "(6)" and insert in lieu
10 thereof "(5)".

1 On page 5, line 6, strike out "any".

2 On page 5, line 21, immediately before "Federal",
3 strike out "a".

4 On page 7, line 3, strike out "(1)".

5 On page 7, beginning with "that—" on line 5, strike
6 out through line 7 on page 8 and insert in lieu thereof "that
7 he is seeking nomination for election to the office of President
8 and he and his authorized committees have received con-
9 tributions for his campaign throughout the United States
10 in a total amount in excess of \$250,000."

11 On page 9, line 6, after the semicolon, insert "and".

12 On page 9, strike out lines 7 and 8 and insert in lieu
13 thereof the following: "(2) no contribution from".

14 On page 9, beginning with "and" on line 13, strike
15 out through line 19.

16 On page 10, beginning with "(1)—" on line 3, strike
17 out through line 16 and insert in lieu thereof the following:
18 "(1), no contribution from any person shall be taken into
19 account to the extent that it exceeds \$250 when added to
20 the amount of all other contributions made by that person
21 to or for the benefit of that candidate for his primary
22 election."

23 On page 13, beginning with line 16, strike out through
24 line 18 on page 14 and insert in lieu thereof the following:

25 "SEC. 504. (a) (1) Except to the extent that such

1 amounts are changed under subsection (f) (2), no candi-
2 date may make expenditures in any State in which he is a
3 candidate in a primary election in excess of the greater of—

4 “(A) 20 cents multiplied by the voting age popu-
5 lation (as certified under subsection (g)) of the State
6 in which such election is held, or

7 “(B) \$250,000.”.

8 On page 14, line 19, strike out “(B)” and insert in
9 lieu thereof “(1)” and strike out “subparagraph” and in-
10 sert in lieu thereof “paragraph”.

11 On page 14, line 20, strike out “(A)” and insert in
12 lieu thereof “(1)”.

13 On page 15, line 8, beginning with “the greater of—”,
14 strike out through line 17 and insert in lieu thereof “15 cents
15 multiplied by the voting age population (as certified under
16 subsection (g)) of the United States.”.

17 On page 18, beginning with line 10, strike out through
18 line 20.

19 On page 26, lines 2 and 3, strike out “under section 504
20 of the Federal Election Campaign Act of 1971, or”.

21 On page 71, beginning with line 20, strike out through
22 line 2 on page 73 and insert in lieu thereof the following:

23 “(a) (1) Except to the extent that such amounts are
24 changed under subsection (f) (2), no candidate (other than
25 a candidate for nomination for election to the office of Presi-

1 dent) may make expenditures in connection with his pri-
2 mary election campaign in excess of the greater of—

3 “ (A) 10 cents multiplied by the voting age popula-
4 tion (as certified under subsection (g)) of the geo-
5 graphical area in which the election for such nomination
6 is held, or

7 “ (B) (i) \$125,000, if the Federal office sought is
8 that of Senator, or Representative from a State which is
9 entitled to only one Representative, or

10 “ (ii) \$90,000, if the Federal office sought is that
11 of Representative from a State which is entitled to more
12 than one Representative.

13 “ (2) (A) No candidate for nomination for election to
14 the office of President may make expenditures in any State
15 in which he is a candidate in a primary election in excess of
16 two times the amount which a candidate for nomination for
17 election to the office of Senator from that State (or for nomi-
18 nation for election to the office of Delegate in the case of the
19 District of Columbia, the Virgin Islands, or Guam, or to the
20 office of Resident Commissioner in the case of Puerto Rico)
21 may expend in that State in connection with his primary
22 election campaign.

23 “ (B) Notwithstanding the provisions of subparagraph
24 (A), no such candidate may make expenditures through-
25 out the United States in connection with his campaign for

1 that nomination in excess of an amount equal to 10 cents
2 multiplied by the voting age population of the United States.
3 For purposes of this subparagraph, the term 'United States'
4 means the several States of the United States, the
5 District of Columbia, and the Commonwealth of Puerto
6 Rico, Guam, and the Virgin Islands and any area from
7 which a delegate to the national nominating convention of
8 a political party is selected.

9 " (b) Except to the extent that such amounts are
10 changed under subsection (f) (2), no candidate may make
11 expenditures in connection with his general election cam-
12 paign in excess of the greater of—

13 " (1) 15 cents multiplied by the voting age popula-
14 tion (as certified under subsection (g)) of the geo-
15 graphical area in which the election is held, or

16 " (2) (A) \$175,000, if the Federal office sought is
17 that of Senator, or Representative from a State which
18 is entitled to only one Representative, or

19 " (B) \$90,000, if the Federal office sought is that of
20 Representative from a State which is entitled to more
21 than one Representative.

22 " (c) No candidate who is unopposed in a primary or
23 general election may make expenditures in connection with
24 his primary or general election campaign in excess of 10
25 percent of the limitation in subsection (a) or (b).

1 “(d) The Federal Election Commission shall prescribe
2 regulations under which any expenditure by a candidate
3 for nomination for election to the office of President for use
4 in two or more States shall be attributed to such candidate’s
5 expenditure limitation in each such State, based on the vot-
6 ing age population in such State which can reasonably be
7 expected to be influenced by such expenditure.

8 “(e) (1) Expenditures made on behalf of any candidate
9 are, for the purposes of this section, considered to be made
10 by such candidate.

11 “(2) Expenditures made by or on behalf of any candi-
12 date for the office of Vice President of the United States
13 are, for the purposes of this section, considered to be made
14 by the candidate for the office of President of the United
15 States with whom he is running.

16 “(3) For purposes of this subsection, an expenditure
17 is made on behalf of a candidate, including a Vice Presi-
18 dential candidate, if it is made by—

19 “(A) an authorized committee or any other agent
20 of the candidate for the purposes of making any expendi-
21 ture, or

22 “(B) any person authorized or requested by the
23 candidate, an authorized committee of the candidate or
24 an agent of the candidate to make the expenditure.

1 “(4) For purposes of this section an expenditure made
 2 by the national committee of a political party, or by the
 3 State committee of a political party, in connection with the
 4 general election campaign of a candidate affiliated with that
 5 party which is not in excess of the limitations contained in
 6 subsection (i), is not considered to be an expenditure made
 7 on behalf of that candidate.

8 “(f) (1) For purposes of paragraph (2) —

9 “(A) ‘price index’ means the average over a calen-
 10 dar year of the Consumer Price Index (all items—United
 11 States city average) published monthly by the Bureau
 12 of Labor Statistics, and

13 “(B) ‘base period’ means the calendar year 1973.

14 “(2) At the beginning of each calendar year (com-
 15 mencing in 1975), as necessary data become available from
 16 the Bureau of Labor Statistics of the Department of Labor,
 17 the Secretary of Labor shall certify to the Federal Election
 18 Commission and publish in the Federal Register the per-
 19 centage difference between the price index for the twelve
 20 months preceding the beginning of such calendar year and
 21 the price index for the base period. Each amount determined
 22 under subsections (a) and (b) shall be changed by such
 23 percentage difference. Each amount so changed shall be
 24 the amount in effect for such calendar year.

1 “(g) During the first week of January 1975, and every
2 subsequent year, the Secretary of Commerce shall certify to
3 the Federal Election Commission and publish in the Federal
4 Register an estimate of the voting age population of the
5 United States, of each State, and of each congressional dis-
6 trict as of the first day of July next preceding the date of
7 certification. The term ‘voting age population’ means resident
8 population, eighteen years of age or older.

9 “(h) Upon receiving the certification of the Secretary
10 of Commerce and of the Secretary of Labor, the Federal
11 Election Commission shall publish in the Federal Register
12 the applicable expenditure limitations in effect for the calen-
13 dar year for the United States, and for each State and con-
14 gressional district under this section.”

15 On page 73, line 3, strike out “(b)” and insert in lieu
16 thereof “(i)”.

17 On page 73, line 24, strike out “section 504” and insert
18 in lieu thereof “subsection (g) ; and”.

19 On page 74, strike out lines 1 and 2.

20 On page 74, line 6, strike out “that Act” and insert in
21 lieu thereof “the Federal Election Campaign Act of 1971”.

22 On page 74, line 8, strike out “(c)” and insert in lieu
23 thereof “(j)”.

24 On page 74, line 10, strike out “(a) (4)” and insert in
25 lieu thereof “(e) (3)”.

- 1 On page 75, line 6, strike out “(a) (5)” and insert in
- 2 lieu thereof “(d)”.
- 3 On page 75, line 11, strike out “(a) (4)” and insert in
- 4 lieu thereof “(e) (3)”.

Amdt. No. 1109

Calendar No. 665

93^D CONGRESS
2^D SESSION

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