

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 209

To amend the Federal Election Campaign Act of 1971 to provide for public financing of advertising and related expenses in campaigns for the House of Representatives and to prohibit contributions by multicandidate political committees to candidates who accept such financing.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. JACOBS introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To amend the Federal Election Campaign Act of 1971 to provide for public financing of advertising and related expenses in campaigns for the House of Representatives and to prohibit contributions by multicandidate political committees to candidates who accept such financing.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Federal Election Campaign Act of 1971 is  
4       amended by adding at the end thereof the following new  
5       title:

1 “TITLE V—PUBLIC FINANCING OF ADVERTIS-  
2 ING AND RELATED EXPENSES IN CAM-  
3 PAIGNS FOR THE HOUSE OF REPRESENTA-  
4 TIVES

5 “CAMPAIGN ALLOTMENTS

6 “SEC. 501. (a) Each candidate in an election for the  
7 office of Representative shall be entitled to—

8 “(1) an allotment of ninety minutes of tele-  
9 vision time, divided as the candidate chooses pro-  
10 vided that each appearance on television is at least  
11 five minutes long;

12 “(2) an allotment of one hundred and thirty-  
13 five minutes of radio time, divided as the candidate  
14 chooses provided that each appearance on radio is at  
15 least five minutes long;

16 “(3) an allotment of one hundred and twenty-  
17 six column inches or one page, whichever is greater,  
18 of newspaper advertising, divided as the candidate  
19 chooses provided that no individual advertisement  
20 uses less than ten column inches; or

21 “(4) an allotment of any costs incurred in the  
22 installation of telephones and other equipment for a  
23 question-and-answer format if such a format is used  
24 during the candidate’s allotted time on television or  
25 radio.



1 election shall not be eligible to receive a campaign allot-  
2 ment under this title with respect to such election.

3 “SUBMISSION OF CHARGES TO THE COMMISSION

4 “SEC. 503. (a)(1) The schedule required to be sub-  
5 mitted by section 502(a)(1) shall include a separate listing  
6 for the television allotment, the radio allotment, and the  
7 newspaper allotment, of—

8 “(A) the date and time of each advertisement  
9 within such allotment;

10 “(B) the station or newspaper providing the  
11 time or space for such advertisement;

12 “(C) the amount of time or space that will be  
13 used in such advertisement;

14 “(D) the total amount of time or space that will  
15 be used for television, radio, and newspaper advertis-  
16 ing; and

17 “(E) with respect to a television or radio adver-  
18 tisement involving the installation of telephones or  
19 other equipment, the name of the company providing  
20 such installation, and the cost of such installation.

21 “(2) Such schedule shall be in a form, as further pre-  
22 scribed by the Commission, which provides for a ranking  
23 within each of the television, radio, and newspaper allot-  
24 ments, of each advertisement. Each candidate submitting  
25 a schedule shall rank such advertisements in order of his

1 preference, for purposes of any reduction of the maximum  
2 allotments that may be required under section 504(a)(2).

3 “(b)(1) Each station, newspaper, or company provid-  
4 ing time, space, or service with respect to an allotment  
5 under paragraphs (1) through (4) of section 501(a) shall  
6 submit a report of charges to the Commission, as provided  
7 in paragraph (2). Such a station, newspaper, or company  
8 shall be guaranteed payment under section 504 only if  
9 such report is received by the Commission not later than  
10 ten days before the election.

11 “(2)(A) The report required by paragraph (1) shall  
12 include, in the case of an advertisement that will be broad-  
13 cast or published, a listing of—

14 “(i) the candidate for whom the time or space  
15 is provided;

16 “(ii) the date and time when each advertise-  
17 ment will be broadcast or published;

18 “(iii) the amount of time or space used; and

19 “(iv) the charge made for such advertisement.

20 “(B) The report required by paragraph (1) shall in-  
21 clude, in the case of installation of telephones or equip-  
22 ment—

23 “(i) the candidate for whom the installation is  
24 made;



1 of the limits imposed by section 315(b) of the Com-  
2 munications Act of 1934 (47 U.S.C. 315(b)), in the  
3 case of a newspaper, in excess of the limits imposed  
4 by section 318(b), and in the case of a company pro-  
5 viding installation service, in excess of the amount  
6 charged for comparable service in the district where  
7 such installation is provided.

8 “(B) At the time of the certification of a charge  
9 under this subsection the Commission shall immediately  
10 notify the station, newspaper, or company that its charge  
11 has been certified and that payment will be made by the  
12 Secretary of the Treasury not later than thirty days from  
13 date of certification.

14 “(C)(i) In any case in which the Commission fails to  
15 certify a charge because one of the conditions set forth  
16 in clause (i) or (ii) of subparagraph (A) has not been met,  
17 the Commission shall immediately notify the candidate  
18 and the station, newspaper, or company involved of such  
19 action, and such parties shall be allowed ten days after  
20 such notification to submit amended schedules and re-  
21 ports, in a manner prescribed by the Commission.

22 “(ii) In any case in which the Commission fails to  
23 certify part of a charge because it is excessive under clause  
24 (iii) of subparagraph (A), it shall immediately notify the

1 station or newspaper affected of such action, and shall  
2 provide such station or newspaper with a hearing.

3 “(D) The Commission shall certify any charge sub-  
4 mitted later than ten days before the election only to the  
5 extent that the time, space, or service for which such  
6 charge is made does not exceed the limits imposed by sec-  
7 tion 501(a).

8 “(2) The Commission shall certify charges to the Sec-  
9 retary of the Treasury for payment under this subsection  
10 only to the extent provided in appropriation Acts. If at  
11 the time that reports are required to be submitted under  
12 section 503(b)(1) the total of all charges submitted with  
13 respect to the allotments under paragraphs (1) through  
14 (4) of section 501(a) exceeds the amount appropriated for  
15 such purposes, the Commission shall certify charges as fol-  
16 lows:

17 “(A) The Commission shall determine the per-  
18 centage by which the total amount of charges sub-  
19 mitted must be reduced in order to make such total  
20 equal to the amount appropriated.

21 “(B) The Commission shall reduce the amount  
22 of time and space requested by each candidate for  
23 each allotment under paragraphs (1) through (3) of  
24 section 501(a) by the percentage determined under

1        subparagraph (A), according to the ranking made by  
2        each such candidate in his schedule.

3            “(C) The Commission shall certify the charges  
4        selected under subparagraph (B) to the Secretary of  
5        the Treasury for payment, and shall promptly notify  
6        each station, newspaper, and company, and each  
7        candidate of such selections.

8        The determination, reduction, and notification shall, when  
9        required by this section, be made by the Commission not  
10       later than three days after the date on which reports are  
11       required to be submitted under section 503(b)(1).

12       “(3) There are authorized to be appropriated for each  
13       fiscal year beginning with the fiscal year beginning on Oc-  
14       tober 1, 1991, such funds as are necessary to make the  
15       payments required by this subsection.

16       “(b)(1) The Commission shall certify to the Secretary  
17       of the Treasury a charge under section 502(a)(2) for pay-  
18       ment, as soon as practicable after the candidate’s certifi-  
19       cation is submitted to the Commission, to the extent that  
20       such charge is not in excess of the amount to which the  
21       candidate submitting such charge is entitled under section  
22       501(a), and only to the extent provided in prior appropria-  
23       tion Acts.

24       “(2) In any case in which the Commission fails to  
25       certify part of a charge under paragraph (1), it shall im-

1 mediate notify the candidate of such action and provide  
2 a hearing to such candidate.

3 “(3) There are authorized to be appropriated for each  
4 fiscal year beginning with the fiscal year beginning on Oc-  
5 tober 1, 1991, such funds as are necessary for the pur-  
6 poses of this subsection.

7 “DEFINITIONS

8 “SEC. 505. As used in this title, the term—

9 “(1) ‘candidate’ means an individual who seeks  
10 election to the office of Representative, and who is  
11 qualified under State law to have his name placed on  
12 the ballot in the district in which he seeks election;

13 “(2) ‘column inch’ means a newspaper column  
14 one inch deep;

15 “(3) ‘election’ means a general or special elec-  
16 tion;

17 “(4) ‘immediate family’ has the meaning given  
18 such term in section 9004(e) of the Internal Reve-  
19 nue Code of 1986;

20 “(5) ‘office of Representative’ means the office  
21 of Representative in, or Delegate or Resident Com-  
22 missioner to, the Congress; and

23 “(6) ‘State’ means a State of the United  
24 States, the District of Columbia, the Commonwealth  
25 of Puerto Rico, and any territory or possession of

1 the United States from which a Delegate or Resi-  
2 dent Commissioner is elected to the Congress.”.

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