

116TH CONGRESS
1ST SESSION

H. R. 3850

To amend the Federal Election Campaign Act of 1971 to exempt assistance provided by political parties to the campaigns of candidates who are affiliated with such parties for secure information communications technology or cybersecurity products or services from the limitations on the amount of coordinated expenditures parties may make in connection with the campaigns of such candidates, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2019

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

A BILL

To amend the Federal Election Campaign Act of 1971 to exempt assistance provided by political parties to the campaigns of candidates who are affiliated with such parties for secure information communications technology or cybersecurity products or services from the limitations on the amount of coordinated expenditures parties may make in connection with the campaigns of such candidates, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Creating Candidate
3 Capacity to Protect Act”.

4 **SEC. 2. EXEMPTION OF CYBERSECURITY ASSISTANCE**
5 **FROM LIMITATIONS ON AMOUNT OF COORDI-**
6 **NATED POLITICAL PARTY EXPENDITURES.**

7 (a) EXEMPTION.—Section 315(d)(5) of the Federal
8 Election Campaign Act of 1971 (52 U.S.C. 30116(d)(5))
9 is amended—

10 (1) by striking “(5)” and inserting “(5)(A)”;

11 (2) by striking the period at the end and insert-
12 ing “, or to expenditures (whether provided as funds
13 or provided as in-kind services) for secure informa-
14 tion communications technology or for a cybersecu-
15 rity product or service.”; and

16 (3) by adding at the end the following new sub-
17 paragraph:

18 “(B) In subparagraph (A)—

19 “(i) the term ‘secure information communica-
20 tions technology’ means a commercial-off-the-shelf
21 computing device which has been configured to re-
22 strict unauthorized access and uses publicly available
23 baseline configurations; and

24 “(ii) the term ‘cybersecurity product or service’
25 means a product or service which helps an organiza-
26 tion to achieve the set of standards, guidelines, best

1 practices, methodologies, procedures, and processes
2 to cost-effectively identify, detect, protect, respond
3 to, and recover from cyber risks as developed by the
4 National Institute of Standards and Technology pur-
5 suant to subsections (c)(15) and (e) of section 2 of
6 the National Institute of Standards and Technology
7 Act (15 U.S.C. 272).”.

8 (b) **EFFECTIVE DATE.**—The amendments made by
9 subsection (a) shall apply with respect to expenditures
10 made on or after the date of the enactment of this Act.

○