

117TH CONGRESS
1ST SESSION

H. J. RES. 21

Proposing an amendment to the Constitution of the United States giving Congress power to regulate campaign contributions for Federal elections.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

Mr. SCHRADER submitted the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States giving Congress power to regulate campaign contributions for Federal elections.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*
6 *intents and purposes as part of the Constitution when*
7 *ratified by the legislatures of three-fourths of the several*
8 *States within seven years after the date of its submission*
9 *for ratification:*

1 “ARTICLE —

2 “SECTION 1. The Congress shall have power to pro-
3 hibit, limit, and otherwise regulate the contribution of
4 funds or donation of in-kind equivalents to candidates
5 standing for election to a Federal office in the United
6 States and to prohibit, limit, and otherwise regulate the
7 expenditure of funds or donation of in-kind equivalents
8 used to support or purchase media advertisements in-
9 tended to influence the outcome of an election for Federal
10 office in the United States.

11 “Whenever Congress should exercise such power, it
12 must apply equally and uniformly to all individual persons
13 recognized as citizens of the United States.

14 “Whenever Congress should exercise such power on
15 associations of citizens of the United States, it must apply
16 equally and uniformly to all associations of citizens of the
17 United States.

18 “SECTION 2. Each of the several States shall have
19 power to prohibit, limit, and otherwise regulate the con-
20 tribution of funds or donation of in-kind equivalents to
21 candidates standing for election to public office in the
22 State and to prohibit, limit, and otherwise regulate ex-
23 penditure of funds or donation of in-kind equivalents used
24 to support or purchase media advertisements intended to

1 influence the outcome of an election for public office or
2 plebiscite in the State.

3 “Whenever a State should exercise such power, it
4 must apply equally and uniformly to all individual persons
5 recognized as citizens of the State.

6 “Whenever a State should exercise such power on as-
7 sociations of citizens of the State, it must apply equally
8 and uniformly to all associations of citizens of the State.

9 “SECTION 3. A person who is not a citizen of the
10 United States, including an association of persons who are
11 not citizens of the United States, a foreign government,
12 or any person acting as an agent thereof, may not con-
13 tribute funds or donate in-kind equivalents to candidates
14 standing for election to public office in the United States
15 or otherwise expend funds or donate in-kind equivalents
16 in a manner intended to influence the outcome of an elec-
17 tion for public office or plebiscite in the United States.

18 “SECTION 4. The powers provided by this article are
19 limited to the content neutral regulation of political con-
20 tributions and political expenditures.

21 “SECTION 5. Congress shall have the power to en-
22 force this article by appropriate legislation.”.

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