

116TH CONGRESS
1ST SESSION

S. 2726

To amend the Federal Election Campaign Act of 1971 to provide for the treatment of payments for child care and other personal use services as an authorized campaign expenditure, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2019

Ms. KLOBUCHAR (for herself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for the treatment of payments for child care and other personal use services as an authorized campaign expenditure, 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. SHORT TITLE; FINDINGS; PURPOSE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Help America Run Act”.

6 (b) FINDINGS.—Congress finds the following:

1 (1) Everyday Americans experience barriers to
2 entry before they can consider running for office to
3 serve their communities.

4 (2) Current law states that campaign funds
5 cannot be spent on everyday expenses that would
6 exist whether or not a candidate were running for
7 office, like rent and food. While the law seems neu-
8 tral, its actual effect is to privilege the independently
9 wealthy who want to run, because given the de-
10 mands of running for office, candidates who must
11 work to pay for childcare or to afford health insur-
12 ance are effectively being left out of the process,
13 even if they have sufficient support to mount a via-
14 ble campaign.

15 (3) Thus current practice favors those prospec-
16 tive candidates who do not need to rely on a regular
17 paycheck to make ends meet. The consequence is
18 that everyday Americans who have firsthand knowl-
19 edge of the importance of stable childcare, a safety
20 net, or great public schools are less likely to get a
21 seat at the table. This governance by the few is anti-
22 thetical to the democratic experiment, but most im-
23 portantly, when lawmakers do not share the con-
24 cerns of everyday Americans, their policies reflect
25 that.

1 (4) These circumstances have contributed to a
2 Congress that does not always reflect everyday
3 Americans. The New York Times reported in 2019
4 that fewer than 5 percent of representatives cite
5 blue-collar or service jobs in their biographies. A
6 2015 survey by the Center for Responsive Politics
7 showed that the median net worth of lawmakers was
8 just over \$1 million in 2013, or 18 times the wealth
9 of the typical American household.

10 (5) These circumstances have also contributed
11 to a governing body that does not reflect the Nation
12 it serves. For instance, women are 51 percent of the
13 American population. Yet even with a record number
14 of women serving in the One Hundred Sixteenth
15 Congress, the Pew Research Center notes that more
16 than three out of four Members of this Congress are
17 male. The Center for American Women And Politics
18 found that one-third of women legislators surveyed
19 had been actively discouraged from running for of-
20 fice, often by political professionals. This type of dis-
21 couragement, combined with the prohibitions on
22 using campaign funds for domestic needs like
23 childcare, burdens that still fall disproportionately
24 on American women, particularly disadvantages
25 working mothers. These barriers may explain why

1 only 10 women in history have given birth while
2 serving in Congress, in spite of the prevalence of
3 working parents in other professions. Yet working
4 mothers and fathers are best positioned to create
5 policy that reflects the lived experience of most
6 Americans.

7 (6) Working mothers, those caring for their el-
8 derly parents, and young professionals who rely on
9 their jobs for health insurance should have the free-
10 dom to run to serve the people of the United States.
11 Their networks and net worth are simply not the
12 best indicators of their strength as prospective pub-
13 lic servants. In fact, helping ordinary Americans to
14 run may create better policy for all Americans.

15 (c) PURPOSE.—It is the purpose of this Act to ensure
16 that all Americans who are otherwise qualified to serve
17 this Nation are able to run for office, regardless of their
18 economic status. By expanding permissible uses of cam-
19 paign funds and providing modest assurance that testing
20 a run for office will not cost one's livelihood, the Help
21 America Run Act will facilitate the candidacy of represent-
22 atives who more accurately reflect the experiences, chal-
23 lenges, and ideals of everyday Americans.

1 **SEC. 2. TREATMENT OF PAYMENTS FOR CHILD CARE AND**
2 **OTHER PERSONAL USE SERVICES AS AU-**
3 **THORIZED CAMPAIGN EXPENDITURE.**

4 (a) PERSONAL USE SERVICES AS AUTHORIZED CAM-
5 PAIGN EXPENDITURE.—Section 313 of the Federal Elec-
6 tion Campaign Act of 1971 (52 U.S.C. 30114) is amended
7 by adding at the end the following new subsection:

8 “(d) TREATMENT OF PAYMENTS FOR CHILD CARE
9 AND OTHER PERSONAL USE SERVICES AS AUTHORIZED
10 CAMPAIGN EXPENDITURE.—

11 “(1) AUTHORIZED EXPENDITURES.—For pur-
12 poses of subsection (a), the payment by an author-
13 ized committee of a candidate for any of the per-
14 sonal use services described in paragraph (3) shall
15 be treated as an authorized expenditure if the serv-
16 ices are necessary to enable the participation of the
17 candidate in campaign-connected activities.

18 “(2) LIMITATIONS.—

19 “(A) LIMIT ON TOTAL AMOUNT OF PAY-
20 MENTS.—The total amount of payments made
21 by an authorized committee of a candidate for
22 personal use services described in paragraph (3)
23 may not exceed the limit which is applicable
24 under any law, rule, or regulation on the
25 amount of payments which may be made by the
26 committee for the salary of the candidate (with-

out regard to whether or not the committee makes payments to the candidate for that purpose).

“(B) CORRESPONDING REDUCTION IN AMOUNT OF SALARY PAID TO CANDIDATE.—To the extent that an authorized committee of a candidate makes payments for the salary of the candidate, any limit on the amount of such payments which is applicable under any law, rule, or regulation shall be reduced by the amount of any payments made to or on behalf of the candidate for personal use services described in paragraph (3), other than personal use services described in subparagraph (D) of such paragraph.

“(3) PERSONAL USE SERVICES DESCRIBED.—

The personal use services described in this paragraph are as follows:

“(A) Child care services.

“(B) Elder care services.

“(C) Services similar to the services described in subparagraph (A) or subparagraph (B) which are provided on behalf of any dependent who is a qualifying relative under section 152 of the Internal Revenue Code of 1986.

1 “(D) Health insurance premiums.”.

2 (b) EFFECTIVE DATE.—The amendments made by
3 this section shall take effect on the date of the enactment
4 of this Act.

○