

117TH CONGRESS
1ST SESSION

H. R. 856

To amend the Federal Election Campaign Act of 1971 to prohibit certain political committees from compensating the spouse of the candidate for services provided to or on behalf of the committee, to require such committees to report on payments made to the spouse and the immediate family members of the candidate, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2021

Mr. TIFFANY (for himself and Mr. GALLAGHER) 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 prohibit certain political committees from compensating the spouse of the candidate for services provided to or on behalf of the committee, to require such committees to report on payments made to the spouse and the immediate family members of the candidate, 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.**

4 This Act may be cited as the “Oversight for Members
5 And Relatives Act” or the “OMAR Act”.

1 **SEC. 2. PROHIBITING USE OF CAMPAIGN FUNDS TO COM-**
2 **PENSATE SPOUSES OF CANDIDATES; DISCLO-**
3 **SURE OF PAYMENTS MADE TO SPOUSES AND**
4 **FAMILY MEMBERS.**

5 (a) PROHIBITION; DISCLOSURE.—Section 313 of the
6 Federal Election Campaign Act of 1971 (52 U.S.C.
7 30114) is amended by adding at the end the following new
8 subsection:

9 “(c) PROHIBITING COMPENSATION OF SPOUSES;
10 DISCLOSURE OF PAYMENTS TO SPOUSES AND FAMILY
11 MEMBERS.—

12 “(1) PROHIBITING COMPENSATION OF
13 SPOUSES.—Notwithstanding any other provision of
14 this Act, no authorized committee of a candidate or
15 any other political committee established, main-
16 tained, or controlled by a candidate or an individual
17 holding Federal office (other than a political com-
18 mittee of a political party) shall directly or indirectly
19 compensate the spouse of the candidate or individual
20 (as the case may be) for services provided to or on
21 behalf of the committee.

22 “(2) DISCLOSURE OF PAYMENTS TO SPOUSES
23 AND IMMEDIATE FAMILY MEMBERS.—In addition to
24 any other information included in a report submitted
25 under section 304 by a committee described in para-
26 graph (1), the committee shall include in the report

1 a separate statement of any payments, including di-
 2 rect or indirect compensation, made to the spouse or
 3 any immediate family member of the candidate or
 4 individual involved during the period covered by the
 5 report.

6 “(3) IMMEDIATE FAMILY MEMBER DEFINED.—
 7 In this subsection, the term ‘immediate family mem-
 8 ber’ means the son, daughter, son-in-law, daughter-
 9 in-law, mother, father, brother, sister, brother-in-
 10 law, sister-in-law, or grandchild of the candidate or
 11 individual involved.”.

12 (b) CONFORMING AMENDMENT.—Section 313(a)(1)
 13 of such Act (52 U.S.C. 30114(a)(1)) is amended by strik-
 14 ing “for otherwise” and inserting “subject to subsection
 15 (c), for otherwise”.

16 **SEC. 3. IMPOSITION OF PENALTY AGAINST CANDIDATE OR**
 17 **OFFICEHOLDER.**

18 (a) IN GENERAL.—Section 309 of the Federal Elec-
 19 tion Campaign Act of 1971 (52 U.S.C. 30109) is amended
 20 by adding at the end the following new subsection:

21 “(e) In the case of a violation of section 313(c) com-
 22 mitted by a committee described in such section, if the
 23 candidate or individual involved knew of the violation, any
 24 penalty imposed under this section shall be imposed on
 25 the candidate or individual and not on the committee.”.

1 (b) PROHIBITING REIMBURSEMENT BY COM-
2 MITTEE.—Section 313(c) of such Act (52 U.S.C.
3 30114(c)), as added by section 2(a), is amended—

4 (1) by redesignating paragraph (3) as para-
5 graph (4); and

6 (2) by inserting after paragraph (2) the fol-
7 lowing new paragraph:

8 “(3) PROHIBITING REIMBURSEMENT BY COM-
9 MITTEE OF PENALTY PAID BY CANDIDATE FOR VIO-
10 LATIONS.—A committee described in paragraph (1)
11 may not make any payment to reimburse the can-
12 didate or individual involved for any penalty imposed
13 for a violation of this subsection which is required
14 to be paid by the candidate or individual under sec-
15 tion 309(e).”.

16 **SEC. 4. EFFECTIVE DATE.**

17 The amendments made by this Act shall apply with
18 respect to compensation and payments made on or after
19 the date of enactment of this Act.

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