

Calendar No. 665

93^D CONGRESS
2^D SESSION

S. 3044

IN THE SENATE OF THE UNITED STATES

MARCH 29 (legislative day, MARCH 28), 1974

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ROTH (for himself and Mr. BUCKLEY), to S. 3044, a bill to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns, viz: At the end of the bill, add the following:

1 TITLE VI—MAILING OF CAMPAIGN MATERIAL

2 DEFINITIONS

3 SEC. 601. For the purposes of this title—

4 (1) “candidate” means any legally qualified candi-
5 date for election who (A) meets the qualifications pre-
6 scribed by the applicable laws to hold the office for which

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1 he is a candidate, and (B) is eligible under applicable
2 State law to be voted for by the electorate directly or by
3 means of delegates or electors;

4 (2) "Federal office" means the office of Senator or
5 Representative;

6 (3) "Representative" means a Member of the
7 House of Representatives, the Resident Commissioner
8 from the Commonwealth of Puerto Rico, and the Dele-
9 gates from the District of Columbia, Guam, and the
10 Virgin Islands;

11 (4) "general election" means any regularly sched-
12 uled or special election held for the purpose of electing
13 a candidate to Federal office; and

14 (5) "State" means each State of the United States,
15 the District of Columbia, the Commonwealth of Puerto
16 Rico, and any territory or possession of the United
17 States.

18 **AUTHORIZATION**

19 **SEC. 602.** (a) Each candidate for election to a Federal
20 office in a general election is authorized to make three mail-
21 ings of his campaign material, free of postage, to persons
22 registered to vote—

23 (1) in the case of a candidate for election as Senator,
24 in the State in which he seeks election; and

25 (2) in the case of a candidate for election as a

1 Representative, in the district in which he seeks election.

2 (b) Campaign material of such a candidate may be
3 mailed free of postage only if the material—

4 (1) is mailed not earlier than sixty days preceding
5 the date of the general election in which the candidate
6 seeks election;

7 (2) bears on the outside in the upper right-hand
8 corner the words "Campaign Material"; and

9 (3) sent to each registered voter each mailing does
10 not exceed sixteen ounces.

11 (c) There are authorized to be appropriated to the
12 United States Postal Service an amount equal to the postage
13 that would have been paid on the campaign material mailed
14 in accordance with this section if this section had not been
15 enacted. In determining such amount, the campaign material
16 shall be considered matter mailed by a qualified nonprofit
17 organization under section 4452 (b) of title 39, United
18 States Code, as such section existed on August 11, 1970.

19 LIMITING USE OF FRANKED MAIL

20 SEC. 603. Section 3210 (a) (5) (D) of title 39, United
21 States Code, is amended—

22 (1) by striking out "or general"; and

23 (2) by inserting immediately after "runoff)", the
24 following: "and less than one hundred and twenty days

1 immediately before the date of any general election
2 (whether regular, special, or runoff)''.

3 PROHIBITION AGAINST OTHER MAILINGS

4 SEC. 604. (a) Except as authorized by section 602, no
5 candidate for Federal office shall make a mass mailing of his
6 campaign material less than one hundred and twenty days
7 immediately before the date of a general election (whether
8 regular, special, or runoff) in which he is a candidate.

9 (b) As used in this section, the term "mass mailing"
10 shall mean mail matter the content of which is substantially
11 identical but shall not apply to mailings—

12 (1) which are in direct response to inquiries or
13 requests from the persons to whom the matter is mailed;
14 or

15 (2) of news releases to the communications media.

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