

Calendar No. 665

93^d CONGRESS
2^d SESSION

S. 3044

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1974

Ordered to lie on the table and to be printed

AMENDMENTS

Intended to be proposed by Mr. ROTH 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:

1 On page 27, between lines 15 and 16, insert the fol-
2 lowing:

3 “(f) (1) Effective on the day after the date of enact-
4 ment of this Act, section 315 (a) of the Communications
5 Act of 1934 (as amended by subsection (a) of this sec-
6 tion) is amended by—

7 “(A) inserting ‘, other than Federal elective office

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1 (including the office of Vice President),’ after ‘public
2 office’ in the first sentence of paragraph (1) ;

3 “(B) striking out paragraphs (2) and (3) ; and

4 “(C) adding at the end thereof the following:

5 ““(2) (A) Each station licensee operating a television
6 broadcasting station shall make available without charge to
7 any legally qualified candidate for election to Federal elec-
8 tive office (other than the office of President or Vice
9 President) an amount of broadcast time (determined by the
10 Commission under paragraph (3)) for use in his campaign
11 for election.

12 ““(B) Each national broadcasting network shall make
13 available without charge to any legally qualified candidate
14 for election to the office of President an amount of broad-
15 cast time (determined by the Commission under paragraph
16 (3)) for use in his campaign for election.

17 ““(3) The Commission shall determine the amount of
18 television broadcast time that each station licensee and
19 each national broadcasting network are obligated to provide
20 without charge to candidates under paragraph (2). In
21 making its determination, the Commission—

22 ““(A) may determine that legally qualified candi-
23 dates who have demonstrated broad popular support, or
24 who are candidates of political parties that have demon-

1 strated broad popular support are entitled to a greater
2 amount of time than other candidates;

3 “ (B) may take into account the location of an
4 election, the number of television broadcasting sta-
5 tions serving that location, the extent to which legally
6 qualified candidates for election to Federal elective
7 office have used television broadcasting in their cam-
8 paigns in that location, and any other circumstance
9 relevant to its determination; and

10 “ (C) may provide for pooling arrangements in lo-
11 cations served by several television broadcasting stations
12 under which each station serving the location is required
13 to provide broadcast time without charge only to some
14 of the candidates.’

15 “ (2) The Federal Communications Commission shall
16 study the application of section 315 (a) (2) of the Communi-
17 cations Act of 1934 (as amended by paragraph (1) of this
18 subsection) to the general election campaign conducted
19 under the provisions of that section during the first even-
20 numbered year after the date of enactment of this Act and
21 report the results of that study, together with recommenda-
22 tions, including recommendations for legislation, not later
23 than the first day of February following such even-numbered
24 year. The study shall also evaluate the possible application

1 of section 315 (a) (2) of the Communications Act of 1934
2 to primary election campaigns for legally qualified candidates
3 for nomination for election to Federal elective office.”

4 On page 78, line 16, strike out the closing quotation
5 marks and the period following those marks.

6 On page 78, between lines 16 and 17, insert the fol-
7 lowing:

8 **“§ 618. Prohibition of purchasing television broadcast time**

9 “(a) No candidate for election to Federal office may
10 make an expenditure for the use of television broadcasting
11 time in his general election campaign for election to that
12 office. If the Federal Communications Commission, under
13 section 315 (a) (3) (A) of the Communications Act of
14 1934, determines that the amount of television broadcasting
15 time to be made available without charge to some candi-
16 dates for election to an office is greater than the amount of
17 time to be made available without charge to other candidates
18 for election to the same office in the same State or district,
19 the provisions of the preceding sentence apply only to
20 expenditures made by a candidate for amounts of broad-
21 casting time which are in excess of the greatest amount of
22 time without charge provided under that section to another
23 candidate for election to that office.

24 “(b) Violation of the provisions of this section is pun-

1 ishable by a fine of not to exceed \$25,000, imprisonment for
2 not more than five years, or both.”

3 On page 78, in the matter appearing after line 22,
4 strike out the closing quotation marks and the period fol-
5 lowing those marks and add at the end of that matter the
6 following:

“618. Prohibition of purchasing television broadcast time.”.

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