

103^D CONGRESS
1ST SESSION

S. 1367

To prohibit taxpayer financed mass mailings.

IN THE SENATE OF THE UNITED STATES

AUGUST 5 (legislative day, JUNE 30), 1993

Mr. WOFFORD introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To prohibit taxpayer financed mass mailings.

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. (a) This section shall apply to mailings
4 by Senators, Senators-elect, and offices of the Senate
5 made during fiscal year 1994 and each fiscal year there-
6 after in addition to any other law relating to the use of
7 the franking privilege.

8 (b) For the purposes of this paragraph—

9 (1) the term “mass mailing”—

10 (A) means, with respect to a session of
11 Congress, a mailing of five hundred or more
12 newsletters or other pieces of mail with sub-

1 stantially identical content (whether such mail
2 is deposited singly or in bulk, or at the same
3 time or different times), but

4 (B) does not include a mailing—

5 (i) of matter in direct response to
6 communication from a person to whom the
7 matter is mailed (to the extent of two such
8 mailings) that—

9 (I) is the case of an initial re-
10 sponse, is mailed at any time; or

11 (II) in the case of a followup re-
12 sponse, is mailed not later than one
13 hundred and eighty days after the
14 date of receipt of the communication;

15 (ii) to other members of Congress or
16 to a Federal, State, or local government of-
17 ficial;

18 (iii) of a news release to the commu-
19 nications media;

20 (iv) of a town meeting or mobile office
21 notice; or

22 (v) of a Federal publication or other
23 item that is provided by the Senate to all
24 Senators or made available by the Senate

1 for purchase by all Senators from official
2 funds specifically for distribution.

3 (c) A Senator, Senator-elect, or office of the Senate
4 may not mail a mass mailing under the frank.

5 (d) As soon as practicable after the close of each
6 quarter of a fiscal year, the chairman of the Committee
7 on Rules and Administration of the Senate shall cause to
8 be printed in the Congressional Record—

9 (1) the dollar amount of the allocation of offi-
10 cial mail costs made to each Senator, Senator-elect,
11 and office of the Senate for the fiscal year;

12 (2) the dollar amount of official mail costs that
13 were incurred by each Senator, Senator-elect, and
14 Senate office during that quarter; and

15 (3) the balance of the allocation for official
16 mailing costs that remain available to each Senator,
17 Senator-elect, and Senate office.

18 (e)(1) In connection with their fiscal 1995 budget
19 presentations to the Committee on Appropriations of the
20 Senate, the Secretary of the Senate and the Sergeant at
21 Arms and Doorkeeper of the Senate shall submit a report
22 that describes—

23 (A) the best available and most recent informa-
24 tion relating to the amount of expenditures made
25 from each Senate office account for official mail ac-

1 activities during fiscal year 1994 as of the date of the
2 budget presentation;

3 (B) the best available and most recent informa-
4 tion relating to the amount of expenditures made
5 from each Senate office account for official mail ac-
6 tivities during fiscal year 1993 as of the date that
7 is one year earlier than the date referred to in sub-
8 paragraph (A); and

9 (C) the amount of any difference between the
10 amounts described in subparagraphs (A) and (B)
11 that is attributable to the operation of subsection
12 (c).

13 (2) As used in this subsection, the term “official mail
14 activities” includes the cost of producing, processing, and
15 mailing of official mail.

16 (f)(1) On and after the date of enactment of this Act
17 and during fiscal year 1994 and each fiscal year there-
18 after, no member, officer, or employee of the Senate may
19 use any appropriated funds or any equipment or other re-
20 sources that are paid for with appropriated funds for the
21 purpose of procuring, gaining access to, or using a mailing
22 list of any kind (including a voter registration list) that
23 is produced by any public or private entity except a mail-
24 ing list described in paragraph (2).

1 (2)(A) A mailing list is described in this paragraph
2 if it is—

3 (i) a postal patron list or update as provided by
4 the United States Postal Service to be used for town
5 meeting and mobile office notices;

6 (ii) a list of members of the communications
7 media;

8 (iii) a list of Federal, State, or local government
9 officials; or

10 (iv) a list of fewer than five hundred persons
11 identifiable as having an interest in a legislative
12 topic that is different from any legislative topic iden-
13 tified as a subject of interest of persons named in
14 any list previously procured, accessed, or used by a
15 person (or by another member of the office of which
16 the person so procuring, accessing, or using is a
17 member) and used for the purpose of making a mail-
18 ing with official funds during a fiscal year.

19 (B) For the purpose of subparagraph (A)(iv), a legis-
20 lative topic may be considered to be different from another
21 legislative topic only if any mailing for which it is intended
22 to be used (and for which it is in fact used) has a content
23 that is not substantially identical (within the meaning of
24 subsection (b)(1)(A)) to the content of any other mailing
25 made by the office previously during the fiscal year.

