104TH CONGRESS
2D SESSION

S. 1723

To require accountability in campaign advertising, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 2, 1996

Mr. BINGAMAN (for himself, Mr. PELL, and Mr. CAMPBELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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A BILL

To require accountability in campaign advertising, 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. BROADCAST MEDIA RATES FOR LEGALLY**

4   **QUALIFIED CANDIDATES.**

5   Section 315 of the Communications Act of 1934 (47

6   U.S.C. 315) is amended—

7   (1) in subsection (a)—

8   (A) by striking "(a) If any licensee" and

9   inserting "(a)(1) If any licensee";

1   (B) by redesignating paragraphs (1)

2   through (4) as subparagraphs (A) through (D),

3   respectively; and

4   (C) by adding at the end the following new

5   paragraph:

6   ''(2) If any licensee shall permit any person to use

7 a broadcasting station to broadcast material that endorses

8 a legally qualified candidate for any Federal office or op-

9 poses a legally qualified candidate for that office, such li-

10 censee shall, within a reasonable period of time, provide

11 at no charge to any legally qualified candidate opposing

12 the candidate endorsed (or to an authorized committee of

13 such candidate), or any legally qualified candidate who

14 was so opposed (or to an authorized committee of such

15 candidate), the same amount of time on such broadcasting

16 station, during the same period of the day.'';

17   (2) in subsection (b)—

18   (A) by striking ''(b) The charges'' and in-

19   serting ''(b)(1) The charges'';

20   (B) by redesignating paragraphs (1) and

21   (2) as subparagraphs (A) and (B), respectively;

22   (C) in subparagraph (A), as redesignated,

23   by inserting ''subject to paragraph (2),'' before

24   ''during the forty-five days''; and

1   (D) by inserting at the end the following

2   new paragraph:

3   "(2)(A) To be eligible to receive the broadcast media

4 rates under paragraph (1)(A), if a legally qualified can-

5 didate (or the authorized committee of any such can-

6 didate), using the rights and conditions of access under

7 this Act, refers, directly or indirectly, to another legally

8 qualified candidate for that office, such reference shall be

9 made in person by such legally qualified candidate.

10   "(B) If a legally qualified candidate (or the author-

11 ized committee of any such candidate), using the rights

12 and conditions of access under this Act, refers, directly

13 or indirectly, to another legally qualified candidate for that

14 office, and such reference is not made in person by such

15 legally qualified candidate, such candidate shall be ineli-

16 gible for the media rates under paragraph (1)(A) for the

17 remainder of the 45-day period (for a primary or primary

18 runoff election) or the 60-day period (for a general or spe-

19 cial election) described in paragraph (1)(A)."; and

20   (3) in subsection (c)—

21   (A) in paragraph (1), by striking "and";

22   (B) in paragraph (2), by striking the pe-

23   riod and inserting a semicolon; and

24   (C) by adding at the end the following new

25   paragraphs:

1   ''(3) the term 'person' includes an individual,
2 partnership, committee, association, corporation, or
3 other organization or group of persons, but such
4 term does not include a legally qualified candidate
5 for any Federal elective office of an authorized com-
6 mittee of any such candidate; and

7   ''(4) the term 'authorized committee' means,
8 with respect to any candidate for nomination for
9 election, or election, to any Federal elective office,
10 any committee, club, association, or other group of
11 persons that receives contributions or makes expend-
12 iture during a calendar year in an aggregate amount
13 exceeding $1,000 and that is authorized by such
14 candidate to accept contributions or make expendi-
15 tures on behalf of such candidate to further the
16 nomination or election of such candidate.''.

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