

115TH CONGRESS  
2D SESSION

# H. R. 5231

To amend title 39, United States Code, to prohibit a Member or Member-elect of Congress from mailing as franked mail any material with a photographic image, to establish an annual limit on the amount of funds which may be expended on franked mail by a Member or Member-elect of Congress, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2018

Ms. ROSEN introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 39, United States Code, to prohibit a Member or Member-elect of Congress from mailing as franked mail any material with a photographic image, to establish an annual limit on the amount of funds which may be expended on franked mail by a Member or Member-elect of Congress, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No Free Campaigns  
3 for Congress Act of 2018”.

4 **SEC. 2. PROHIBITING MATERIAL WITH PHOTOGRAPHIC**  
5 **IMAGE FROM TREATMENT AS FRANKED MAIL.**

6 (a) PROHIBITION.—Section 3210(a)(5) of title 39,  
7 United States Code, is amended—

8 (1) by striking “or” at the end of subparagraph  
9 (B);

10 (2) by striking the period at the end of sub-  
11 paragraph (C) and inserting “; or”; and

12 (3) by inserting after subparagraph (C) the fol-  
13 lowing new subparagraph:

14 “(D) mail matter which includes a photograph  
15 or photographic representation, other than an elec-  
16 tronic communication.”.

17 (b) CONFORMING AMENDMENT.—Section 3210(a)(3)  
18 of such title is amended—

19 (1) in subparagraph (H), by adding “or” at the  
20 end;

21 (2) in subparagraph (I), by striking “; or” and  
22 inserting a period; and

23 (3) by striking subparagraph (J).

1 **SEC. 3. ANNUAL LIMIT ON AMOUNT SPENT ON FRANKED**  
2 **MAIL.**

3 Section 3210 of title 39, United States Code, is  
4 amended by adding at the end the following new sub-  
5 section:

6 “(h) The total amount of funds that may be spent  
7 for the costs of franked mail sent by any Member or Mem-  
8 ber-elect of Congress, including the costs of postage, prep-  
9 aration, and handling of such mail, may not exceed  
10 \$10,000—

11 “(1) during a calendar year (beginning with  
12 calendar year 2019), in the case of a Member or  
13 Member-elect of the House of Representatives (in-  
14 cluding a Delegate or Resident Commissioner to the  
15 Congress); or

16 “(2) during a fiscal year (beginning with fiscal  
17 year 2019), in the case of a Member or Member-  
18 elect of the Senate.”.

19 **SEC. 4. BAN ON MASS MAILINGS AT ANY TIME DURING**  
20 **YEAR OF ELECTION.**

21 (a) FEDERAL ELECTIONS.—Section 3210(a)(6)(A)(i)  
22 of title 39, United States Code, is amended by striking  
23 the semicolon at the end and inserting the following: “,  
24 or (except in the case of a mass mailing consisting exclu-  
25 sively of electronic communications) is postmarked at any

1 time during the year in which such election is held prior  
2 to the date of the election;”.

3 (b) ELECTIONS FOR OTHER OFFICES IN WHICH  
4 HOUSE MEMBER IS A CANDIDATE.—Section  
5 3210(a)(6)(A)(ii)(II) of such title is amended by striking  
6 the period at the end and inserting the following: “, or  
7 (except in the case of a mass mailing consisting exclusively  
8 of electronic communications) is postmarked at any time  
9 during the year in which such election is held prior to the  
10 date of the election”.

11 **SEC. 5. CLARIFICATION OF BAN ON SENDING CAMPAIGN-**  
12 **RELATED MATERIAL AS FRANKED MAIL.**

13 Section 3210(a)(4) of title 39, United States Code,  
14 is amended by striking “purely personal” and inserting  
15 “purely personal, or purely related to a campaign for elec-  
16 tion for office,”.

17 **SEC. 6. EFFECTIVE DATE.**

18 Except as otherwise provided, this Act and the  
19 amendments made by this Act shall apply with respect to  
20 matter mailed on or after the expiration of the 30-day pe-  
21 riod which begins on the date of the enactment of this  
22 Act.

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