

FEDERAL ELECTION COMMISSION



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FEC SEEKING COMMENTS ON PROPOSED RULEMAKING

WASHINGTON -- The Federal Election Commission is seeking comments by March 4 on proposed revisions to its regulations governing candidate debates and news stories produced by cable television organizations.

The proposed rules would indicate that cable television programmers, producers, and operators may cover or stage candidate debates in the same manner as broadcast and print news media. The rules also restate the Commission policy that news organizations may not stage candidate debates if they are owned or controlled by any political party, political committee, or candidate.

The Federal Election Campaign Act (FECA) generally prohibits corporations from making contributions or expenditures in connection with any election. However, the definition of "expenditure" in the statute indicates that news stories, commentaries, and editorials distributed through the facilities of any broadcast station, newspaper, magazine, or other periodical publication are not considered to be expenditures unless the facilities are owned or controlled by a political party, political committee, or candidate.

This "news story" exemption forms the basis for the Commission's long-standing regulations that permit broadcasters and bona fide print media to stage candidate debates under certain conditions.

The FEC is seeking comments on expanding the types of media entities that may stage candidate debates, that expansion to include cable television operators, programmers, and producers. If enacted, new language in the regulations would allow these cable entities to cover or carry candidate debates as long as these entities are acting in their capacity as news media. Examples of the types of programming that the Federal Communications Commission considers to be bona fide newscasts and news interview programs are provided in the FCC's The Law of Political Broadcasting and Cablecasting: A Political Primer.

Comments must be received on or before March 4, 1996. The Commission will hold a hearing on March 20 at 10 a.m. Complete text of the Notice of Proposed Rulemaking (NPR) can be found in FR Vol. 61, No. 22, Feb. 1, 1996, p. 3621.

any act of the FEC can close a debate any point after reviewing a complaint. If a violation is found and conciliation cannot be reached then the FEC can institute a civil court action against a respondent.

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