

## Important Laws 重要法律

### A. CIVIL RIGHTS ACT (1964)

#### A. 《民权法案》(1964年)

1. Prohibits discrimination based on race, color, religion, or national origin in public accommodations or any place open to the public (restaurants, hotels, and businesses), government services, programs receiving federal funds, education, and employment.  
1. 禁止在公共场所或任何向公众开放的场所（餐馆、酒店和企业）、政府服务、接受联邦资金的项目、教育和就业中基于种族、肤色、宗教或国籍进行歧视。
2. The Supreme Court has upheld the constitutionality of the law based on the commerce power in Article I.  
2. 最高法院根据宪法第一条赋予的商业权力，维持了该法律的合宪性。

### B. VOTING RIGHTS ACT (1965)

#### B. 投票权法案(1965年)

1. Prohibits discrimination in voting rights, including the use of literacy tests.  
1. 禁止在投票权方面进行歧视，包括使用文化程度测试。
2. Created a preclearance requirement for changing voting procedures in jurisdictions with a history of discrimination. (The preclearance provision required jurisdictions with a history of discriminatory voting practices to obtain authorization from the Department of Justice before making significant changes to election procedures. It is currently unenforceable as a result of *Shelby County v. Holder* (2013), a Supreme Court decision which found that the formula for determining whether a jurisdiction required preclearance was out-of-date and, therefore, unconstitutional.)  
2. 对有歧视历史的司法管辖区更改投票程序设立了预先批准要求。（该预先批准条款要求有歧视性投票做法历史的司法管辖区在对选举程序进行重大更改之前，必须获得司法部的授权。由于谢尔比县诉霍尔德案（2013年）的判决，该条款目前无法执行。最高法院在该案中裁定，确定司法管辖区是否需要预先批准的公式已过时，因此违宪。）

### C. FREEDOM OF INFORMATION ACT (FOIA) (1967)

#### C. 信息自由法(FOIA)(1967年)

1. Requires executive branch federal agencies to provide information about the government that is not already published in the *Federal Register* when requested by journalists, researchers, or the public.  
1. 要求行政部门联邦机构在记者、研究人员或公众提出要求时，提供有关政府但尚未在《联邦公报》上公布的信息。
2. Important for protecting the First Amendment freedom of the press because it forces the government to be more transparent.  
2. 这对保护第一修正案赋予的新闻自由至关重要，因为它迫使政府更加透明。
3. There are some exceptions to the release of documents including those related to personal privacy, privileged communication, trade secrets, and law enforcement or national security concerns.  
3. 某些情况下，文件的公开存在例外，包括涉及个人隐私、特权通信、商业秘密以及执法或国家安全问题的文件。
4. Has been amended to account for advances in technology.  
4. 已根据技术进步进行了修订。

#### **D. TITLE IX OF THE EDUCATION AMENDMENTS ACT (1972)**

##### **D. 《教育修正案》第九章 ( 1972 年 )**

1. Prohibits discrimination on the basis of sex in all federally funded educational activities.  
1. 禁止在所有联邦资助的教育活动中基于性别进行歧视。
2. Best known for increasing women' s access to athletic activities.  
2. 最出名的是增加了女性参与体育活动的机会。
3. Prohibits sexual harassment in educational environments.  
3. 禁止在教育环境中进行性骚扰。

#### **E. WAR POWERS RESOLUTION (1973)**

##### **E. 战争权力决议 ( 1973 年 )**

1. Also known as the War Powers Act.  
1. 又称《战争权力法》。
2. Passed in response to congressional concern about presidential overreach in use of the military, during both the Korean and Vietnam wars.  
2. 为回应国会对总统在朝鲜战争和越南战争期间过度使用军队的担忧而通过。
3. Requires that the president inform Congress within 48 hours of committing military forces to action.

3. 要求总统在投入军事力量采取行动后 48 小时内通知国会。
4. If Congress does not authorize the action within 60 days, military forces must be withdrawn.
4. 如果国会在 60 天内未授权采取该行动，则必须撤出军队。
5. An additional 30 days are allowed for troops to make a safe withdrawal.
5. 允许部队额外有 30 天时间安全撤离。

## F. FEDERAL ELECTION CAMPAIGN ACT (1974)

### F. 联邦竞选活动法 ( 1974 年 )

1. Created the Federal Election Commission (FEC), a bipartisan commission charged with enforcing campaign contribution and spending limits and monitoring disclosure compliance.
1. 创建了联邦选举委员会 ( FEC )，这是一个两党委员会，负责执行竞选捐款和支出限制并监督信息披露合规性。
2. Places limits on individual and Political Action Committee (PAC) contributions.
2. 对个人和政治行动委员会 (PAC) 的捐款设定了限制。
3. Places limits on campaign spending.
3. 限制竞选支出。
4. Requires reporting of campaign contributions and expenditures.
4. 要求报告竞选捐款和支出。
5. Establishes a system for public financing of presidential campaigns, which is now rarely used because presidential candidates can raise more money outside of the public financing system.
5. 建立了一套总统竞选公共资金资助体系，但现在很少使用，因为总统候选人可以在公共资金资助体系之外筹集更多资金。
6. In *Buckley v. Valeo*, the Court struck down limits on campaign spending (but not contributions) created by the law, ruling that spending money to influence elections is a form of constitutionally protected free speech.
6. 在巴克利诉瓦莱奥案中，法院推翻了法律规定竞选支出（但不包括捐款）限制，裁定花钱影响选举是一种受宪法保护的言论自由形式。

## G. AMERICANS WITH DISABILITIES ACT (ADA) (1990)

### G. 《美国残疾人法案》 ( ADA ) ( 1990 年 )

1. Civil rights legislation that broadly defines the term *disability* to include both physical and mental conditions.

1. 对残疾一词进行广泛定义的民权立法，包括身体和精神状况。
2. Prohibits discrimination against disabled individuals by all employers with more than 15 employees.
2. 禁止所有拥有 15 名以上雇员的雇主歧视残疾人。
3. Applies to private businesses, not only to entities receiving federal funds.
3. 适用于私营企业，不仅适用于接受联邦资金的实体。
4. Requires all places open to the public to ensure physical access to facilities, including wheelchair access.
4. 要求所有向公众开放的场所确保设施的物理无障碍通行，包括轮椅通道。
5. Example of an unfunded mandate.
5. 无资金支持的授权示例。

## **H. NATIONAL VOTER REGISTRATION ACT (1993)**

### **H. 全国选民登记法 (1993 年)**

1. Also known as the Motor Voter Act.
1. 又称《机动车选民法》。
2. Requires states to provide individuals with the opportunity to register to vote at the same time that they apply for a driver's license or seek to renew a driver's license, thus increasing voter access.
2. 要求各州为个人提供在申请驾驶执照或寻求更新驾驶执照的同时进行选民登记的机会，从而增加选民的投票权。

## **I. WELFARE REFORM ACT (1996)**

### **一、 福利改革法案 (1996 年)**

1. Formally known as the Personal Responsibility and Work Opportunity Reconciliation Act.
1. 正式名称为《个人责任和工作机会协调法案》。
2. Ended the entitlement status of welfare by creating the Temporary Assistance for Needy Families program (replacing the Aid to Families with Dependent Children program).
2. 通过设立“贫困家庭临时援助计划”（取代“对有受抚养子女家庭的援助计划”），结束了福利的享有权。
3. Creates stricter rules for Medicaid eligibility.
3. 制定更严格的医疗补助资格规则。

4. Distributes block grants to the states to use on welfare programs with some specific requirements, including no federal welfare for individuals who have not worked within two years and no federal welfare for more than five years total.
4. 向各州分配整笔拨款，用于福利计划，但有一些具体要求，包括两年内未工作的个人不得领取联邦福利，以及累计领取联邦福利超过五年的个人不得领取联邦福利。
5. Example of devolution because block grants gave states more discretion with regard to management of welfare programs.
5. 权力下放的例子，因为整笔拨款使各州在福利计划的管理方面拥有更大的自主权。

## J. USA PATRIOT ACT (2001)

### 美国 爱国者法案 ( 2001 年 )

1. Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act
  1. 通过提供拦截和阻止恐怖主义所需适当工具来团结和加强美国法案
  2. Enacted in response to 9/11 attacks.
  2. 为应对 9/11 袭击而制定。
3. Includes provisions expanding government power to conduct surveillance operations and allowing extended detention of immigrants.
  3. 包括扩大政府权力进行监视行动和允许延长移民拘留期限的条款。
4. Several of the provisions enhancing government search and seizure authority were subject to successful constitutional challenges.
  4. 加强政府搜查和扣押权力的几项条款都受到了成功的宪法挑战。
5. Portions of the USA PATRIOT Act were extended by the USA Freedom Act of 2015.
  5. 《美国爱国者法案》的部分内容通过 2015 年《美国自由法案》得到延长。

## K. BIPARTISAN CAMPAIGN REFORM ACT (BCRA) (2002)

### K. 两党竞选改革法案 ( BCRA ) ( 2002 年 )

1. Also known as the McCain-Feingold Act.
  1. 又称麦凯恩-费恩戈尔德法案。
2. Prohibits national parties from soliciting or spending soft money.
  2. 禁止国家政党索取或花费软钱。
3. Places specific limits on contributions to candidates, parties, and PACs.
  3. 对向候选人、政党和政治行动委员会的捐款设定具体限制。

4. Prohibits issue advertisements on television or radio that used a candidate's name, were paid for by corporations or unions, and were broadcast within 30 days of a primary election or within 60 days of a general election.
4. 禁止在电视或广播上刊登使用候选人姓名、由公司或工会付费、并在初选前 30 天内或大选前 60 天内播出的广告。
5. Includes the "Stand By Your Ad" provision requiring candidates and any group running political advertisements to disclose who paid for the ad.
5. 包括“为你的广告负责”条款，要求候选人和任何投放政治广告的团体披露谁为该广告付费。
6. In *Citizens United v. FEC* (2010), the Court struck down BCRA's limitations on outside spending as a violation of the free speech protections of the First Amendment.
6. 在 *Citizens United v. FEC* (2010) 一案中，法院裁定 BCRA 对外部支出的限制违反了第一修正案对言论自由的保护，因此予以驳回。

## L. PATIENT PROTECTION AND THE AFFORDABLE CARE ACT (ACA) (2010)

### L. 患者保护与平价医疗法案 (ACA) (2010)

1. Also known as Obamacare.
1. 也称为奥巴马医改。
2. Creates affordable health insurance for more people by creating insurance exchanges, or marketplaces, and offering subsidies.
2. 通过建立保险交易市场和提供补贴，为更多人创造负担得起的医疗保险。
3. Requires insurance companies to cover pre-existing conditions, offer free preventative care, allow children to remain on a parents' plan until age 26, and eliminate lifetime coverage limits.
3. 要求保险公司承保既往病症，提供免费预防性护理，允许子女在 26 岁之前继续使用父母的保险计划，并取消终身承保限额。
4. Guarantees coverage for contraception, mental health, and substance abuse services.
4. 保证提供避孕、心理健康和药物滥用服务。
5. Created an individual mandate requiring all individuals not covered by an employer's plan or government program to purchase health insurance. The individual mandate was repealed in 2017.
5. 设立了个人强制参保条款，要求所有未参加雇主提供的医疗保险计划或政府医疗保险计划的个人购买医疗保险。该条款于 2017 年被废除。

## M. USA FREEDOM ACT (2015)

### M. 美国自由法案 (2015)

1. Reauthorizes several provisions of the USA PATRIOT Act, which had expired the previous day.
  1. 重新授权了《美国爱国者法案》的若干条款，这些条款已于前一天到期。
2. Does not reauthorize the government to collect bulk data on phone records.
  2. 并未重新授权政府收集大量电话记录数据。