

116TH CONGRESS  
1ST SESSION

# H. R. 2135

To prevent foreign adversaries from influencing elections by prohibiting foreign nationals from purchasing at any time a broadcast, cable, or satellite communication that mentions a clearly identified candidate for Federal office.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2019

Ms. SLOTKIN (for herself and Ms. STEFANIK) introduced the following bill;  
which was referred to the Committee on House Administration

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## A BILL

To prevent foreign adversaries from influencing elections by prohibiting foreign nationals from purchasing at any time a broadcast, cable, or satellite communication that mentions a clearly identified candidate for Federal office.

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. SHORT TITLE.**

4 This Act may be cited as the “Preventing Adversaries  
5 Internationally from Disbursing Advertising Dollars Act”  
6 or the “PAID AD Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to protect the integrity  
3 of American democracy by expanding the scope of the pro-  
4 hibition on political advertising by foreign principals in  
5 order to uphold the well-established standard of the  
6 United States Supreme Court that foreign nationals may  
7 lawfully be excluded from participating in certain electoral  
8 activities.

9 **SEC. 3. SENSE OF CONGRESS.**

10 It is the sense of Congress that—

11 (1) the growing threat of malicious interference  
12 in our elections by foreign actors requires the Con-  
13 gress and the Federal Election Commission to take  
14 meaningful action to ensure that laws and regula-  
15 tions protect against influence by foreign nationals  
16 in activity fundamental to our democracy;

17 (2) the Supreme Court has long held that there  
18 is a compelling national interest in preventing for-  
19 eign influence in the United States political process  
20 and that foreign citizens lack a “constitutional right  
21 to participate in, and thus may be excluded from,  
22 activities of democratic self-government”; and

23 (3) the current prohibition on foreign nationals  
24 contributing to political campaigns and advertise-  
25 ments must be updated.

1 **SEC. 4. EXPANSION OF LIMITATION ON FOREIGN NATION-**  
2 **ALS.**

3 (a) DISBURSEMENTS DESCRIBED.—Section  
4 319(a)(1) of the Federal Election Campaign Act of 1971  
5 (52 U.S.C. 30121(a)(1)) is amended—

6 (1) by striking “or” at the end of subparagraph  
7 (B); and

8 (2) by striking subparagraph (C) and inserting  
9 the following:

10 “(C) an expenditure;

11 “(D) an independent expenditure;

12 “(E) a disbursement for an electioneering  
13 communication (within the meaning of section  
14 304(f)(3));

15 “(F) a disbursement for a paid internet or  
16 paid digital communication that refers to a  
17 clearly identified candidate for election for Fed-  
18 eral office and is disseminated within 60 days  
19 before a general, special or runoff election for  
20 the office sought by the candidate or 30 days  
21 before a primary or preference election, or a  
22 convention or caucus of a political party that  
23 has authority to nominate a candidate for the  
24 office sought by the candidate;

25 “(G) a disbursement for a broadcast, cable  
26 or satellite communication, or for a paid inter-

1 net or paid digital communication, that pro-  
2 motes, supports, attacks or opposes the election  
3 of a clearly identified candidate for Federal,  
4 State, or local office (regardless of whether the  
5 communication contains express advocacy or the  
6 functional equivalent of express advocacy); or

7 “(H) a disbursement for a broadcast,  
8 cable, or satellite communication, or for any  
9 communication which is placed or promoted for  
10 a fee on an online platform, that discusses a  
11 national legislative issue of public importance in  
12 a year in which a regularly scheduled general  
13 election for Federal office is held, but only if  
14 the disbursement is made by a foreign principal  
15 who is a government of a foreign country or a  
16 foreign political party or an agent of such a for-  
17 eign principal under the Foreign Agents Reg-  
18 istration Act of 1938.”.

19 (b) DEFINITION OF ONLINE PLATFORM.—Section  
20 319 of such Act (52 U.S.C. 30121) is amended by adding  
21 at the end the following new subsection:

22 “(c) ONLINE PLATFORM.—As used in this section,  
23 the term ‘online platform’ means any public-facing  
24 website, web application, or digital application (including  
25 a social network, ad network, or search engine) which—

1           “(1) sells qualified political advertisements; and

2           “(2) has 50,000,000 or more unique monthly

3           United States visitors or users for a majority of

4           months during the preceding 12 months.”.

5           (c) EFFECTIVE DATE.—The amendments made by

6           this section shall apply with respect to disbursements

7           made on or after the date of the enactment of this Act.

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