

108TH CONGRESS
2D SESSION

H. R. 4639

To ensure that advertising campaigns paid for by the Federal Government are unbiased, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2004

Ms. DELAURO (for herself, Mr. STARK, Mr. McDERMOTT, Mr. COOPER, Mr. CONYERS, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To ensure that advertising campaigns paid for by the Federal Government are unbiased, 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. SHORT TITLE.**

4 This Act may be cited as the “Federal Advertising
5 Reform Act of 2004”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) a February 2004 Congressional Research
9 Service report states that the advertising industry

1 estimates the Federal Government spends over
2 \$1,000,000,000 each year on advertising;

3 (2) under the rules and regulations that apply
4 to the Federal Government and advertising cam-
5 paigns run by the Federal Government, there are
6 few restrictions on advertising by the Federal Gov-
7 ernment; and

8 (3) currently, there is no single agency charged
9 with tracking and overseeing advertising expendi-
10 tures by Federal agencies.

11 (b) PURPOSES.—The purposes of this Act are to—

12 (1) ensure that advertising campaigns paid for
13 by the Federal Government are unbiased and do not
14 contain a political message or covert propaganda;

15 (2) highlight the lack of oversight and evalua-
16 tion of advertising campaigns paid for by the Fed-
17 eral Government; and

18 (3) ensure that advertising campaigns in excess
19 of \$10,000,000 per year are evaluated and approved
20 by an independent entity such as the General Ac-
21 counting Office.

22 **SEC. 3. LIMITATION ON ADVERTISING EXPENDITURES.**

23 (a) IN GENERAL.—In any fiscal year, if the amounts
24 appropriated to an agency exceed \$10,000,000 to prepare
25 or produce print, radio, or television advertising cam-

1 paigns, as well as video news releases, uses of outdoor
2 media, and Internet advertisements on websites not oper-
3 ated by the Federal Government, those amounts shall not
4 be expended by the agency unless—

5 (1) any proposed advertisement is submitted to
6 the Comptroller General of the United States for re-
7 view; and

8 (2) the Comptroller General determines that the
9 proposed advertisement does not contain a political
10 message, and is not false, misleading, or deceptive.

11 (b) DEFINITIONS.—In this section:

12 (1) AGENCY.—The term “agency” has the
13 meaning provided that term by section 105 of title
14 5, United States Code.

15 (2) FALSE, MISLEADING, OR DECEPTIVE.—The
16 term “false, misleading, or deceptive” has the mean-
17 ing provided that term under rules and regulations
18 promulgated by the Federal Trade Commission.

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