

108TH CONGRESS
2D SESSION

H. R. 4985

To amend the Federal Election Campaign Act of 1971 to clarify the requirements for the disclosure of identifying information within authorized campaign communications which are printed, to apply certain requirements regarding the disclosure of identifying information within communications made through the Internet, to apply certain disclosure requirements to prerecorded telephone calls, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. PRICE of North Carolina (for himself and Mr. CASTLE) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to clarify the requirements for the disclosure of identifying information within authorized campaign communications which are printed, to apply certain requirements regarding the disclosure of identifying information within communications made through the Internet, to apply certain disclosure requirements to prerecorded telephone calls, 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 “Stand By Your Inter-
3 net Ad Act of 2004”.

4 **SEC. 2. CLARIFICATION OF PRESENTATION OF IDENTI-
5 FYING INFORMATION WITHIN AUTHORIZED
6 PRINTED CAMPAIGN COMMUNICATIONS.**

7 (a) APPLICATION TO COMMUNICATIONS TRANS-
8 MITTED THROUGH THE INTERNET.—Section 318(c) of
9 the Federal Election Campaign Act of 1971 (2 U.S.C.
10 441d(c)) is amended in the matter preceding paragraph
11 (1) by striking “subsection (a)” and inserting the fol-
12 lowing: “subsection (a), including the text of any commu-
13 nication described in such subsection which is transmitted
14 through the Internet,”.

15 (b) INCLUSION OF CLEARLY READABLE IDENTI-
16 FYING STATEMENT.—Section 318(c) of the Federal Elec-
17 tion Campaign Act of 1971 (2 U.S.C. 441d(c)) is amend-
18 ed—

19 (1) by striking “and” at the end of paragraph
20 (2);

21 (2) by striking the period at the end of para-
22 graph (3) and inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

25 “(4) in the case of a communication described
26 in paragraph (1) or (2) of such subsection, include

1 a clearly readable statement identifying the can-
 2 didate and stating that the candidate has approved
 3 the communication which occupies not less than 10
 4 percent of the total area of the communication (or,
 5 in the case of the text of a communication trans-
 6 mitted through the Internet, is continuously visible
 7 and occupies such portion of the visible screen as
 8 may be necessary to be clearly legible based on the
 9 Internet connection of the recipient of the commu-
 10 nication).”.

11 **SEC. 3. APPLICATION OF DISCLOSURE REQUIREMENTS**
 12 **FOR AUDIO AND VIDEO COMMUNICATIONS**
 13 **TO AUDIO AND VIDEO PORTIONS OF COMMU-**
 14 **NICATIONS TRANSMITTED THROUGH INTER-**
 15 **NET.**

16 Section 318(d)(1) of the Federal Election Campaign
 17 Act of 1971 (2 U.S.C. 441d(d)(1)) is amended by adding
 18 at the end the following new subparagraph:

19 “(C) AUDIO AND VIDEO PORTIONS OF
 20 COMMUNICATIONS TRANSMITTED THROUGH
 21 INTERNET.—In the case of a communication
 22 described in paragraph (1) or (2) of subsection
 23 (a) which is transmitted through the Internet—
 24 “(i) any audio portion of the commu-
 25 nication shall meet the requirements appli-

1 cable under subparagraph (A) to commu-
 2 nications transmitted through radio; and
 3 “(ii) any video portion of the commu-
 4 nication shall meet the requirements appli-
 5 cable under subparagraph (B) to commu-
 6 nications transmitted through television.”.

7 **SEC. 4. DISCLOSURE REQUIREMENTS FOR CAMPAIGN COM-**
 8 **MUNICATIONS MADE THROUGH**
 9 **PRERECORDED TELEPHONE CALLS.**

10 (a) APPLICATION OF REQUIREMENTS.—Section
 11 318(a) of the Federal Election Campaign Act of 1971 (2
 12 U.S.C. 441d(a)) is amended by inserting after “mailing,”
 13 each place it appears the following: “telephone call which
 14 consists in substantial part of a prerecorded audio mes-
 15 sage,”.

16 (b) TREATMENT AS AUDIO COMMUNICATION.—Sec-
 17 tion 318(d)(1) of such Act (2 U.S.C. 441d(d)(1)), as
 18 amended by section 3, is further amended by adding at
 19 the end the following new subparagraph:

20 “(D) PRERECORDED TELEPHONE
 21 CALLS.—Any communication described in para-
 22 graph (1) or (2) of subsection (a) which is a
 23 telephone call which consists in substantial part
 24 of a prerecorded audio message shall meet the
 25 requirements applicable under subparagraph

1 (A) to communications transmitted through
2 radio, except that the statement required under
3 such subparagraph shall be made at the begin-
4 ning of the telephone call.”.

5 **SEC. 5. EFFECTIVE DATE.**

6 The amendments made by this Act shall apply with
7 respect to communications made on or after January 1,
8 2005.

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