

110TH CONGRESS  
1ST SESSION

# H. R. 894

To amend the Federal Election Campaign Act of 1971 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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2007

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

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## A BILL

To amend the Federal Election Campaign Act of 1971 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Responsible Campaign  
5 Communications Act of 2007”.

1 **SEC. 2. APPLICATION OF DISCLOSURE REQUIREMENTS**  
2 **FOR AUDIO AND VIDEO COMMUNICATIONS**  
3 **TO AUDIO AND VIDEO PORTIONS OF COMMU-**  
4 **NICATIONS TRANSMITTED THROUGH INTER-**  
5 **NET OR ELECTRONIC MAIL.**

6 (a) COMMUNICATIONS BY CANDIDATES OR AUTHOR-  
7 IZED PERSONS.—Section 318(d)(1) of the Federal Elec-  
8 tion Campaign Act of 1971 (2 U.S.C. 441d(d)(1)) is  
9 amended by adding at the end the following new subpara-  
10 graph:

11 “(C) AUDIO AND VIDEO PORTIONS OF  
12 COMMUNICATIONS TRANSMITTED THROUGH  
13 INTERNET OR ELECTRONIC MAIL.—In the case  
14 of a communication described in paragraph (1)  
15 or (2) of subsection (a) which is transmitted  
16 through the Internet or through any form of  
17 electronic mail—

18 “(i) any audio portion of the commu-  
19 nication shall meet the requirements appli-  
20 cable under subparagraph (A) to commu-  
21 nications transmitted through radio; and

22 “(ii) any video portion of the commu-  
23 nication shall meet the requirements appli-  
24 cable under subparagraph (B) to commu-  
25 nications transmitted through television.”.

1 (b) COMMUNICATIONS BY OTHERS.—Section  
 2 318(d)(2) of such Act (2 U.S.C. 44d(d)(2)) is amended  
 3 by adding at the end the following: “In the case of a com-  
 4 munication described in paragraph (3) of subsection (a)  
 5 which is transmitted through the Internet or through any  
 6 form of electronic mail, any audio portion of the commu-  
 7 nication shall meet the requirements applicable under this  
 8 paragraph to communications transmitted through radio  
 9 and any video portion of the communication shall meet  
 10 the requirements applicable under this paragraph to com-  
 11 munications transmitted through television.”.

12 **SEC. 3. DISCLOSURE REQUIREMENTS FOR CAMPAIGN COM-**  
 13 **MUNICATIONS MADE THROUGH**  
 14 **PRERECORDED TELEPHONE CALLS.**

15 (a) APPLICATION OF REQUIREMENTS.—Section  
 16 318(a) of the Federal Election Campaign Act of 1971 (2  
 17 U.S.C. 441d(a)) is amended by inserting after “mailing,”  
 18 each place it appears the following: “telephone call which  
 19 consists in substantial part of a prerecorded audio mes-  
 20 sage,”.

21 (b) TREATMENT AS AUDIO COMMUNICATION.—

22 (1) COMMUNICATIONS BY CANDIDATES OR AU-  
 23 THORIZED PERSONS.—Section 318(d)(1) of such Act  
 24 (2 U.S.C. 441d(d)(1)), as amended by section 2(a),

1 is further amended by adding at the end the fol-  
2 lowing new subparagraph:

3 “(D) PRERECORDED TELEPHONE  
4 CALLS.—Any communication described in para-  
5 graph (1) or (2) of subsection (a) which is a  
6 telephone call which consists in substantial part  
7 of a prerecorded audio message shall meet the  
8 requirements applicable under subparagraph  
9 (A) to communications transmitted through  
10 radio, except that the statement required under  
11 such subparagraph shall be made at the begin-  
12 ning of the telephone call.”.

13 (2) COMMUNICATIONS BY OTHERS.—Section  
14 318(d)(2) of such Act (2 U.S.C. 441d(d)(2)), as  
15 amended by section 2(b), is further amended by add-  
16 ing at the end the following: “Any communication  
17 described in paragraph (3) of subsection (a) which  
18 is a telephone call which consists in substantial part  
19 of a prerecorded audio message shall meet the re-  
20 quirements applicable under this paragraph to com-  
21 munications transmitted through radio, except that  
22 the statement required shall be made at the begin-  
23 ning of the telephone call.”.

1 **SEC. 4. NO EXPANSION OF PERSONS SUBJECT TO DIS-**  
2 **CLAIMER REQUIREMENTS ON INTERNET**  
3 **COMMUNICATIONS.**

4       Nothing in this Act or the amendments made by this  
5 Act may be construed to require any person who is not  
6 required under section 318 of the Federal Election Cam-  
7 paign Act of 1971 (as provided under section 110.11 of  
8 title 11 of the Code of Federal Regulations) to include  
9 a disclaimer on communications made by the person  
10 through the Internet to include any disclaimer on any such  
11 communications.

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

13       The amendments made by this Act shall apply with  
14 respect to communications made on or after the expiration  
15 of the 90-day period which begins on the date of the enact-  
16 ment of this Act.

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