

111TH CONGRESS
2D SESSION

H. R. 4527

To amend the Federal Election Campaign Act of 1971 to require certain campaign-related communications paid for by a corporation or labor organization to include a statement identifying the chief executive officer of the corporation or the president of the labor organization, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2010

Mr. DRIEHAUS 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 require certain campaign-related communications paid for by a corporation or labor organization to include a statement identifying the chief executive officer of the corporation or the president of the labor organization, 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 “Corporate and Labor
5 Electioneering Advertisement Reform Act” or the
6 “CLEAR Act”.

1 **SEC. 2. STATEMENTS INCLUDED IN CAMPAIGN-RELATED**
2 **COMMUNICATIONS FUNDED BY CORPORA-**
3 **TIONS OR LABOR ORGANIZATIONS.**

4 (a) **REQUIRING STATEMENT IDENTIFYING HEAD OF**
5 **CORPORATION OR ORGANIZATION.**—Section 318(d) of the
6 Federal Election Campaign Act of 1971 (2 U.S.C.
7 441d(d)) is amended—

8 (1) in paragraph (2), by striking “Any commu-
9 nication” and inserting “Except as provided in para-
10 graph (3), any communication”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(3) **SPECIAL RULES FOR COMMUNICATIONS**
14 **PAID FOR BY CORPORATIONS OR LABOR ORGANIZA-**
15 **TIONS.**—

16 “(A) **DISCLOSURE STATEMENT RE-**
17 **QUIRED.**—Any communication described in
18 paragraph (3) of subsection (a) which is a cor-
19 porate communication or a labor organization
20 communication and which is transmitted
21 through radio or television shall include, in ad-
22 dition to the requirements of that paragraph,
23 the disclosure statement described in subpara-
24 graph (C).

25 “(B) **METHOD OF CONVEYANCE OF STATE-**
26 **MENT.**—

1 “(i) COMMUNICATIONS TRANSMITTED
2 THROUGH RADIO.—In the case of a com-
3 munication to which this paragraph applies
4 which is transmitted through radio, the
5 disclosure statement described in subpara-
6 graph (C) shall be made by audio in a
7 clearly spoken manner by the applicable in-
8 dividual.

9 “(ii) COMMUNICATIONS TRANSMITTED
10 THROUGH TELEVISION.—In the case of a
11 communication to which this paragraph
12 applies which is transmitted through tele-
13 vision, the disclosure statement described
14 in subparagraph (C) shall be conveyed by
15 an unobscured, full-screen view of the ap-
16 plicable individual, or by the applicable in-
17 dividual making the statement in voice-
18 over accompanied by a clearly identifiable
19 photograph or similar image of the indi-
20 vidual. The statement, together with a
21 clearly readable logo of the corporation or
22 labor organization (as the case may be), if
23 any, shall also appear in writing at the end
24 of the communication in a clearly readable
25 manner with a reasonable degree of color

1 contrast between the background and the
2 printed statement and logo, for a period of
3 at least 4 seconds.

4 “(C) DISCLOSURE STATEMENT DE-
5 SCRIBED.—The disclosure statement described
6 in this subparagraph is the following: ‘I am
7 _____, and _____ paid
8 for this advertisement and approves its con-
9 tents.’, with—

10 “(i) the first blank to be filled in with
11 the name and title of the applicable indi-
12 vidual; and

13 “(ii) the second blank to the filled in
14 with the name of the corporation (in the
15 case of a corporate communication) or the
16 name of the labor organization (in the case
17 of a labor organization communication).

18 “(D) DEFINITIONS.—In this paragraph—

19 “(i) the term ‘applicable individual’
20 means the chief executive officer of a cor-
21 poration (with respect to a corporate com-
22 munication) or the highest ranking officer
23 of a labor organization (with respect to a
24 labor organization communication);

1 “(ii) the term ‘corporate communica-
2 tion’ means a communication paid for in
3 whole or in part by a corporation, other
4 than a communication paid for in whole by
5 a separate segregated fund established by
6 a corporation under section 316(b)(2)(C);
7 and

8 “(iii) the term ‘labor organization
9 communication’ means a communication
10 paid for in whole or in part by a labor or-
11 ganization, other than a communication
12 paid for in whole by a separate segregated
13 fund established by a labor organization
14 under section 316(b)(2)(C).”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply with respect to communications
17 made on or after the date of the enactment of this Act.

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