

113TH CONGRESS  
2D SESSION

# H. R. 3308

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2014

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense.

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 “Taxpayer Trans-  
3 parency Act of 2014”.

4 **SEC. 2. REQUIREMENTS FOR PRINTED MATERIALS AND AD-**  
5 **VERTISEMENTS BY FEDERAL AGENCIES.**

6 (a) REQUIREMENT TO IDENTIFY FUNDING SOURCE  
7 FOR COMMUNICATION FUNDED BY FEDERAL AGENCY.—  
8 Each communication funded by a Federal agency that is  
9 an advertisement, or that provides information about any  
10 Federal Government program, benefit, or service, shall  
11 clearly state—

12 (1) in the case of a printed communication, in-  
13 cluding mass mailings, signs, and billboards, that  
14 the communication is printed or published at tax-  
15 payer expense; and

16 (2) in the case of a communication transmitted  
17 through radio, television, the Internet, or any means  
18 other than the means referred to in paragraph (1),  
19 that the communication is produced or disseminated  
20 at taxpayer expense.

21 (b) ADDITIONAL REQUIREMENTS.—

22 (1) PRINTED COMMUNICATION.—Any printed  
23 communication described in subsection (a)(1) shall—

24 (A) be of sufficient type size to be clearly  
25 readable by the recipient of the communication;

(B) to the extent feasible, be contained in a printed box set apart from the other contents of the communication; and

(C) to the extent feasible, be printed with a reasonable degree of color contrast between the background and the printed statement.

(2) RADIO, TELEVISION, AND INTERNET COMMUNICATION.—

(A) AUDIO COMMUNICATION.—Any audio communication described in subsection (a)(2) shall include an audio statement that communicates the information required under that subsection in a clearly spoken manner.

(B) VIDEO COMMUNICATION.—Any video communication described in subsection (a)(2) shall include a statement with the information referred to under that subsection—

(i) that is conveyed in a clearly spoken manner;

(ii) that is conveyed by a voice-over or screen view of the person making the statement; and

(iii) to the extent feasible, that also appears in writing at the end of the communication in a clearly readable manner

1 with a reasonable degree of color contrast  
2 between the background and the printed  
3 statement, for a period of at least 4 sec-  
4 onds.

5 (C) E-MAIL COMMUNICATION.—Any e-mail  
6 communication described in subsection (a)(2)  
7 shall include the information required under  
8 that subsection, displayed in a manner that—

9 (i) is of sufficient type size to be  
10 clearly readable by the recipient of the  
11 communication;

12 (ii) is set apart from the other con-  
13 tents of the communication; and

14 (iii) includes a reasonable degree of  
15 color contrast between the background and  
16 the printed statement.

17 (c) IDENTIFICATION OF OTHER FUNDING SOURCE  
18 FOR CERTAIN COMMUNICATIONS.—In the case of a com-  
19 munication funded entirely by user fees, by any other  
20 source that does not include Federal funds, or by a com-  
21 bination of such fees or other source, a Federal agency  
22 may apply the requirements of subsections (a) and (b) by  
23 substituting “by the United States Government” for “at  
24 taxpayer expense”.

25 (d) DEFINITIONS.—In this Act:

1           (1) FEDERAL AGENCY.—The term “Federal  
2       agency” has the meaning given the term “Executive  
3       agency” in section 133 of title 41, United States  
4       Code.

5           (2) MASS MAILING.—The term “mass mailing”  
6       means any mailing or distribution of 499 or more  
7       newsletters, pamphlets, or other printed matter with  
8       substantially identical content, whether such matter  
9       is deposited singly or in bulk, or at the same time  
10      or different times, except that such term does not  
11      include any mailing—

12                (A) in direct response to a communication  
13                from a person to whom the matter is mailed; or

14                (B) of a news release to the communica-  
15                tions media.

16       (e) SOURCE OF FUNDS.—The funds used by a Fed-  
17      eral agency to carry out this Act shall be derived from  
18      amounts made available to the agency for advertising, or  
19      for providing information about any Federal Government  
20      program, benefit, or service.

21       (f) EFFECTIVE DATE.—This section shall apply only  
22      to communications printed or otherwise produced after the  
23      date of the enactment of this Act.

1 **SEC. 3. GUIDANCE FOR IMPLEMENTATION.**

2 Not later than 6 months after the date of the enact-  
3 ment of this Act, the Director of the Office of Manage-  
4 ment and Budget shall develop and issue guidance on im-  
5 plementing the requirements of this Act.

6 **SEC. 4. JUDICIAL REVIEW AND ENFORCEABILITY.**

7 (a) JUDICIAL REVIEW.—There shall be no judicial re-  
8 view of compliance or noncompliance with any provision  
9 of this Act.

10 (b) ENFORCEABILITY.—No provision of this Act shall  
11 be construed to create any right or benefit, substantive  
12 or procedural, enforceable by any administrative or judi-  
13 cial action.

Passed the House of Representatives February 26,  
2014.

Attest:

KAREN L. HAAS,  
*Clerk.*