

**AMENDMENT TO RULES COMMITTEE PRINT**

**116-35**

**OFFERED BY M** . \_\_\_\_\_

Page 16, strike line 19 through page 21, line 3, and insert the following:

**1 SEC. 115. CLARIFYING DISCLAIMER REQUIREMENTS FOR**  
**2 ONLINE POLITICAL ADVERTISEMENTS.**

**3 (a) CLARIFICATION.—**Section 318 of the Federal  
**4 Election Campaign Act of 1971 (52 U.S.C. 30120) is**  
**5 amended by adding at the end the following new sub-**  
**6 section:**

**7 “(e) APPLICATION OF REQUIREMENTS TO ONLINE**  
**8 COMMUNICATIONS.—**

**9 “(1) METHOD OF PROVISION OF INFORMA-**  
**10 TION.—**Except as provided in paragraph (2) or  
**11 paragraph (3), a covered Internet communication**  
**12 shall provide the information required under this**  
**13 section on the face of the communication.**

**14 “(2) AUTHORIZING USE OF ALTERNATIVE**  
**15 MECHANISMS.—**

**16 “(A) IN GENERAL.—**In the case of a cov-  
**17 ered Internet communication described in sub-**  
**18 paragraph (C) of paragraph (4), the commu-**

1            nication may provide the information required  
2            under this section through the use of a techno-  
3            logical mechanism described in subparagraph  
4            (B), so long as the communication presents an  
5            indicator described in subparagraph (C).

6            “(B) TECHNOLOGICAL MECHANISM DE-  
7            SCRIBED.—A technological mechanism de-  
8            scribed in this subparagraph is, with respect to  
9            a communication, any technology which enables  
10           the individual reading, observing, or listening to  
11           the communication to read, observe, or listen to  
12           the information required under this section  
13           without navigating more than one step away  
14           from the communication itself. Such mechanism  
15           may take any form, including hover-over,  
16           mouse-over, voice-over, rollover, pop-up screen,  
17           scrolling text, rotating panels, or click-through  
18           or hyperlink to a landing page.

19           “(C) INDICATOR DESCRIBED.—An indi-  
20           cator described in this subparagraph is, with re-  
21           spect to a communication, any clear and con-  
22           spicuous visible or audible element of the com-  
23           munication that gives notice to the individual  
24           reading, observing, or listening to the commu-  
25           nication that the individual may read, observe,

1           or listen to the information required under this  
2           section through a technological mechanism. An  
3           indicator may take any form, including words  
4           such as ‘Paid for by’, ‘Paid by’, ‘Sponsored by’,  
5           or ‘Ad by’, a website URL, an image, a sound,  
6           a symbol, or an icon.

7           “(3) WAIVER.—A disclaimer shall not be re-  
8           quired for any covered internet communication that  
9           cannot provide a clear and conspicuous statement of  
10          the information required under this section either on  
11          the face of communication or through the use of a  
12          technological mechanism under paragraph (2).

13          “(4) COVERED INTERNET COMMUNICATION DE-  
14          FINED.—In this subsection, the term ‘covered Inter-  
15          net communication’ means any communication which  
16          is required to include information under this section  
17          and which is any of the following:

18                 “(A) Any electronic mailing of more than  
19                 500 substantially similar communications which  
20                 is disseminated by a political committee.

21                 “(B) Any communication disseminated on  
22                 a publicly-available website of a political com-  
23                 mittee.

1                   “(C) Any communication placed for a fee  
2                   on another person’s website or Internet-based  
3                   application or platform.”.

4           (b) EFFECTIVE DATE.—The amendments made by  
5 this section shall apply with respect to communications  
6 made after the expiration of the 30-day period which be-  
7 gins on the date of the enactment of this Act.

