AMENDMENT TO RULES COMMITTEE PRINT

116–35

OFFERED BY M .

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

SEC. 115. CLARIFYING DISCLAIMER REQUIREMENTS FOR ONLINE POLITICAL ADVERTISEMENTS.

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

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

“(1) METHOD OF PROVISION OF INFORMATION.—Except as provided in paragraph (2) or paragraph (3), a covered Internet communication shall provide the information required under this section on the face of the communication.

“(2) AUTHORIZING USE OF ALTERNATIVE MECHANISMS.—

“(A) IN GENERAL.—In the case of a covered Internet communication described in sub-paragraph (C) of paragraph (4), the commu-
nication may provide the information required under this section through the use of a technological mechanism described in subparagraph (B), so long as the communication presents an indicator described in subparagraph (C).

“(B) TECHNOLOGICAL MECHANISM DESCRIBED.—A technological mechanism described in this subparagraph is, with respect to a communication, any technology which enables the individual reading, observing, or listening to the communication to read, observe, or listen to the information required under this section without navigating more than one step away from the communication itself. Such mechanism may take any form, including hover-over, mouse-over, voice-over, rollover, pop-up screen, scrolling text, rotating panels, or click-through or hyperlink to a landing page.

“(C) INDICATOR DESCRIBED.—An indicator described in this subparagraph is, with respect to a communication, any clear and conspicuous visible or audible element of the communication that gives notice to the individual reading, observing, or listening to the communication that the individual may read, observe,
or listen to the information required under this section through a technological mechanism. An indicator may take any form, including words such as ‘Paid for by’, ‘Paid by’, ‘Sponsored by’, or ‘Ad by’, a website URL, an image, a sound, a symbol, or an icon.

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

“(4) COVERED INTERNET COMMUNICATION DEFINED.—In this subsection, the term ‘covered Internet communication’ means any communication which is required to include information under this section and which is any of the following:

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

“(B) Any communication disseminated on a publicly-available website of a political committee.
“(C) Any communication placed for a fee
on another person’s website or Internet-based
application or platform.”.

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