

111TH CONGRESS
2^D SESSION

H. R. 4583

To amend the Federal Election Campaign Act of 1971 to require certain campaign-related communications which are paid for by certain tax-exempt organizations or political organizations to include a statement naming their five largest donors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2010

Mr. BOCCIERI 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 which are paid for by certain tax-exempt organizations or political organizations to include a statement naming their five largest donors, 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 “Stand By Your Ad
5 Act of 2010”.

1 **SEC. 2. STATEMENTS INCLUDED IN CAMPAIGN COMMU-**
2 **NICATIONS FUNDED BY CERTAIN TAX-EX-**
3 **EMPT ORGANIZATIONS OR POLITICAL ORGA-**
4 **NIZATIONS.**

5 (a) REQUIRING STATEMENT IDENTIFYING LARGEST
6 DONORS.—Section 318(d) of the Federal Election Cam-
7 paign Act of 1971 (2 U.S.C. 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 CERTAIN TAX-EXEMPT OR POLITICAL
15 ORGANIZATIONS.—

16 “(A) DISCLOSURE STATEMENT RE-
17 QUIRED.—Any communication described in
18 paragraph (3) of subsection (a) which is funded
19 in whole or in part by a covered section 501(c)
20 organization or a political organization and
21 which is transmitted through radio or television
22 shall include, in addition to the requirements of
23 that paragraph, the disclosure statement de-
24 scribed in subparagraph (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.

8 “(ii) COMMUNICATIONS TRANSMITTED
9 THROUGH TELEVISION.—In the case of a
10 communication to which this paragraph
11 applies which is transmitted through tele-
12 vision, the disclosure statement described
13 in subparagraph (C) shall be conveyed by
14 an unobscured, full-screen view of a rep-
15 resentative of the organization, or by a
16 representative of the organization making
17 the statement in voice-over. The statement,
18 together with clearly readable logos of the
19 organization and each donor identified in
20 the disclosure statement (if any), shall also
21 appear in writing at the end of the commu-
22 nication in a clearly readable manner with
23 a reasonable degree of color contrast be-
24 tween the background and the printed

1 statement and logos, for a period of at
2 least 4 seconds.

3 “(C) DISCLOSURE STATEMENT DE-
4 SCRIBED.—The disclosure statement described
5 in this subparagraph is the following: ‘This ad-
6 vertisement was paid for by _____,
7 whose funders include _____. For a
8 full list of donors, go to _____.’,
9 with—

10 “(i) the first blank to be filled in with
11 the name of the covered section 501(c) or-
12 ganization or political organization in-
13 volved;

14 “(ii) the second blank to be filled in
15 with the names of the 5 persons who pro-
16 vided the largest amount of funding to the
17 organization for any purpose during the
18 12-month period which ends on the date on
19 which the organization paid for the com-
20 munication; and

21 “(iii) the third blank to be filled in
22 with the Internet address of the website of
23 the organization which includes the infor-
24 mation the organization is required to post

1 and maintain under subsections (c)(4) and
2 (f)(8) of section 304.

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

4 “(i) the term ‘political organization’
5 means a political organization described in
6 section 527 of the Internal Revenue Code
7 of 1986, except that such term does not in-
8 clude a political committee of a political
9 party; and

10 “(ii) the term ‘covered section 501(c)
11 organization’ means—

12 “(I) an organization described in
13 paragraph (4), (5), or (6) of section
14 501(c) of the Internal Revenue Code
15 of 1986 and exempt from taxation
16 under section 501(a) of such Code; or

17 “(II) an organization which has
18 submitted an application to the Inter-
19 nal Revenue Service for determination
20 of its status as an organization de-
21 scribed in subclause (I).”.

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

1 **SEC. 3. REQUIRING ORGANIZATIONS TO INCLUDE INFOR-**
2 **MATION ON LARGEST DONORS IN REPORTS**
3 **ON INDEPENDENT EXPENDITURES AND**
4 **ELECTIONEERING COMMUNICATIONS.**

5 (a) REPORTS ON INDEPENDENT EXPENDITURES.—

6 (1) CONTENTS OF STATEMENTS.—Section
7 304(c)(2) of the Federal Election Campaign Act of
8 1971 (2 U.S.C. 434(c)(2)) is amended—

9 (A) by striking “and” at the end of sub-
10 paragraph (B);

11 (B) by striking the period at the end of
12 subparagraph (C) and inserting “; and”; and

13 (C) by adding at the end the following new
14 subparagraph:

15 “(D) if the person making the independent ex-
16 penditure is a covered section 501(c) organization or
17 a political organization (as such terms are defined in
18 section 318(d)(3)(D)), the identification of the 5
19 persons who provided the largest amount of funding
20 to the organization for any purpose, together with
21 the amount of funding each such person provided,
22 during the 12-month period which ends on the date
23 on which the organization made the independent ex-
24 penditure.”.

25 (2) POSTING OF INFORMATION ON WEBSITE.—

26 Section 304(e) of such Act (2 U.S.C. 434(e)) is

1 amended by adding at the end the following new
2 paragraph:

3 “(4) Each covered section 501(c) organization or po-
4 litical organization which is required to include the infor-
5 mation described in paragraph (2)(D) in the statements
6 required to be filed under this subsection shall post and
7 maintain such information on a publicly available official
8 website of the organization.”.

9 (b) REPORTS ON ELECTIONEERING COMMUNICA-
10 TIONS.—

11 (1) CONTENTS OF STATEMENTS.—Section
12 304(f)(2) of the Federal Election Campaign Act of
13 1971 (2 U.S.C. 434(f)(2)) is amended by adding at
14 the end the following new subparagraph:

15 “(G) If the person making the disburse-
16 ment is a covered section 501(c) organization or
17 a political organization (as such terms are de-
18 fined in section 318(d)(3)(D)), the identifica-
19 tion of the 5 persons who provided the largest
20 amount of funding to the person for any pur-
21 pose, together with the amount of funding each
22 such person provided, during the 12-month pe-
23 riod which ends on the date on which the orga-
24 nization made the disbursement.”.

1 (2) POSTING OF INFORMATION ON WEBSITE.—
2 Section 304(f) of such Act (2 U.S.C. 434(f)) is
3 amended by adding at the end the following new
4 paragraph:

5 “(8) POSTING CERTAIN DONOR INFORMATION
6 ON WEBSITE.—Each covered section 501(c) organi-
7 zation or political organization which is required to
8 include the information described in paragraph
9 (2)(G) in the statements required to be filed under
10 this subsection shall post and maintain such infor-
11 mation on a publicly available official website of the
12 organization.”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply with respect to statements filed
15 after the date of the enactment of this Act.

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