

116TH CONGRESS  
2D SESSION

# S. 4146

To require the Federal Election Commission to conduct a study on the classification of political campaign emails as spam.

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IN THE SENATE OF THE UNITED STATES

JULY 1, 2020

Mr. MERKLEY introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To require the Federal Election Commission to conduct a study on the classification of political campaign emails as spam.

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 “Fair Campaign Com-  
5 munications Act”.

6 **SEC. 2. STUDY ON THE CLASSIFICATION OF EMAIL FROM**  
7 **POLITICAL CAMPAIGNS.**

8 (a) DEFINITIONS.—For purposes of this section:

9 (1) EMAIL PROVIDER.—The term “email pro-  
10 vider” means any person who provides access to

1 electronic mail messages through an account that  
2 is—

3 (A) associated with the electronic mail ad-  
4 dress of a user; and

5 (B) administered by such person.

6 (2) POLITICAL CAMPAIGN EMAIL.—The term  
7 “political campaign email” means an electronic mail  
8 message from an authorized committee (as defined  
9 in section 301 of the Federal Election Campaign Act  
10 of 1974 (52 U.S.C. 30101)) of a candidate for Fed-  
11 eral office.

12 (b) STUDY.—

13 (1) IN GENERAL.—The Federal Election Com-  
14 mission shall conduct a study on the practices and  
15 procedures used by email providers with respect to  
16 political campaign emails, including the classification  
17 of such emails as spam or the assignment of such  
18 emails to a separate location apart from other emails  
19 regularly received by the user.

20 (2) SPECIFICATIONS.—The study conducted  
21 under paragraph (1) shall—

22 (A) include multiple email providers that  
23 in the aggregate serve a majority of email  
24 users;

1                   (B) shall not include the collection of any  
2                   proprietary information.

3                   (3) REPORT.—Not later than December 31,  
4                   2020, the Federal Election Commission shall submit  
5                   to Congress a report on the study conducted under  
6                   paragraph (1). The report provided under this para-  
7                   graph shall not include any information that can be  
8                   identified with any individual candidate or author-  
9                   ized committee.

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