

119TH CONGRESS
2D SESSION

S. _____

To amend the Federal Election Campaign Act of 1971 to require a disclaimer for certain communications paid for by a political committee, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHIFF introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Federal Election Campaign Act of 1971 to require a disclaimer for certain communications paid for by a political committee, 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 “Promoting Authen-
5 ticity with Influencer Disclaimers Act”.

6 **SEC. 2. REQUIRING DISCLAIMERS ON CERTAIN COMMU-**
7 **NICATIONS.**

8 (a) REQUIREMENT.—Section 318 of the Federal
9 Election Campaign Act of 1971 (52 U.S.C. 30120) is

1 amended by adding at the end the following new sub-
2 section:

3 “(e) SPECIAL DISCLAIMER FOR CERTAIN COMMU-
4 NICATIONS.—

5 “(1) REQUIREMENT.—Whenever a political
6 committee makes a disbursement for the purpose of
7 financing any communication by a person to post
8 content on an internet website, web application, or
9 digital application, such communication shall state
10 in a clear and conspicuous manner that the commu-
11 nication has been paid for by such political com-
12 mittee.

13 “(2) CLEAR AND CONSPICUOUS MANNER.—A
14 statement required under this subsection shall be
15 considered to be made in a clear and conspicuous
16 manner if the statement meets the following require-
17 ments:

18 “(A) AUDIOVISUAL, TEXT, OR GRAPHIC
19 COMMUNICATION.—In the case of an audio-
20 visual, text, or graphic communication, the
21 statement is readily legible to an average view-
22 er.

23 “(B) AUDIO ONLY COMMUNICATIONS.—In
24 the case of an audio communication, the state-

1 ment is spoken in a clearly audible and intel-
2 ligible manner.

3 “(3) NOTIFICATION REQUIREMENT.—A political
4 committee described under paragraph (1) shall no-
5 tify the person to whom the disbursement is made
6 of the requirement under paragraph (1) at the time
7 such disbursement is made for the communication.

8 “(4) EXCEPTION.—

9 “(A) IN GENERAL.—This subsection shall
10 not apply to—

11 “(i) content posted on a political com-
12 mittee’s own website; or

13 “(ii) content posted by a compensated
14 employee of a committee on the employee’s
15 own social media page or account where
16 the only expense or cost of the communica-
17 tion is compensated staff time.

18 “(B) SPECIAL RULE.—This exception shall
19 not apply if the compensated employee’s prin-
20 cipal duties are to post content on their own so-
21 cial media page or account.

22 “(5) REGULATIONS.—Not later than January
23 1, 2027, the Commission shall promulgate regula-
24 tions to carry out this subsection.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to communications
3 made on or after January 1, 2027, and shall take effect
4 without regard to whether or not the Federal Election
5 Commission has promulgated regulations to carry out
6 such amendments.