

114TH CONGRESS
1ST SESSION

S. 1260

To direct the Federal Communications Commission to revise and update its sponsorship identification rules applicable to commercial and political advertising.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2015

Mr. NELSON (for himself, Ms. WARREN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WYDEN, Mrs. MCCASKILL, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Federal Communications Commission to revise and update its sponsorship identification rules applicable to commercial and political advertising.

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 “Sunshine in Sponsor-

5 ship Identification Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Federal law has required broadcasters to
2 identify the sponsors of broadcast content since the
3 Radio Act of 1927 (47 U.S.C. 81 et seq.).

4 (2) The Federal Communications Commission
5 has had the authority to adopt and enforce rules re-
6 quiring the disclosure of the sponsors of commercial
7 and political broadcasts since the passage of section
8 317 of the Communications Act of 1934 (47 U.S.C.
9 317).

10 (3) Section 317 of the Communications Act of
11 1934 requires the full and fair disclosure of the true
12 identity of the sponsors of all on-air commercial and
13 political broadcasts.

14 (4) In 1944, the Federal Communications Com-
15 mission adopted rules implementing section 317 of
16 the Communications Act of 1934. Those rules re-
17 main largely in place today.

18 (5) While the Federal Communications Com-
19 mission has periodically issued updated rules and
20 guidance regarding its application of section 317
21 and its rules promulgated under that section, the
22 Commission has not engaged in a thorough review of
23 those rules in many decades.

24 (6) In a 2013 report, the Government Account-
25 ability Office recommended that the Federal Com-

1 munications Commission engage in a comprehensive
2 review of its sponsorship identification rules to en-
3 sure that such rules are reflective of the current
4 practices of commercial and political advertisers.

5 (7) Given the dramatic changes in technology in
6 the many years since the Federal Communications
7 Commission put forth formal guidance on these
8 issues, the Commission should review its sponsorship
9 identification policies to make sure that American
10 citizens are fully apprised of the identity of entities
11 seeking to influence them.

12 **SEC. 3. MODERNIZATION OF SPONSORSHIP IDENTIFICA-**
13 **TION RULES.**

14 (a) **RULEMAKING REQUIRED.**—Not later than 30
15 days after the date of enactment of this Act, the Federal
16 Communications Commission shall commence a rule-
17 making to update its rules and guidance promulgated
18 under section 317 of the Communications Act of 1934 (47
19 U.S.C. 317).

20 (b) **CONSIDERATIONS.**—As part of the rulemaking re-
21 quired under subsection (a), the Federal Communications
22 Commission shall, at a minimum—

23 (1) update and modernize its sponsorship iden-
24 tification rules and guidance to reflect current tech-

1 nologies and commercial and political advertising
2 practices;

3 (2) ensure that political broadcasts include dis-
4 closures containing more detailed information about
5 the identity of the true sponsors of such broadcasts;
6 and

7 (3) consider how best to require the disclosure
8 of sponsorship identification information, including
9 by requiring that more detailed sponsorship identi-
10 fication information be placed online or in another
11 form more readily accessible to the public.

12 (c) TIMEFRAME.—The Federal Communications
13 Commission shall complete the rulemaking required by
14 subsection (a) not later than 270 days after the date of
15 enactment of this Act.

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