

Suspend the Rules and Pass the Bill, H.R. 3308, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

113TH CONGRESS
2^D SESSION

H. R. 3308

To require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2013

Mr. LONG (for himself and Mr. WESTMORELAND) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense.

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 “Taxpayer Trans-
5 parency Act of 2014”.

1 **SEC. 2. REQUIREMENTS FOR PRINTED MATERIALS AND AD-**
2 **VERTISEMENTS BY FEDERAL AGENCIES.**

3 (a) REQUIREMENT TO IDENTIFY FUNDING SOURCE
4 FOR COMMUNICATION FUNDED BY FEDERAL AGENCY.—

5 Each communication funded by a Federal agency that is
6 an advertisement, or that provides information about any
7 Federal Government program, benefit, or service, shall
8 clearly state—

9 (1) in the case of a printed communication, in-
10 cluding mass mailings, signs, and billboards, that
11 the communication is printed or published at tax-
12 payer expense; and

13 (2) in the case of a communication transmitted
14 through radio, television, the Internet, or any means
15 other than the means referred to in paragraph (1),
16 that the communication is produced or disseminated
17 at taxpayer expense.

18 (b) ADDITIONAL REQUIREMENTS.—

19 (1) PRINTED COMMUNICATION.—Any printed
20 communication described in subsection (a)(1) shall—

21 (A) be of sufficient type size to be clearly
22 readable by the recipient of the communication;

23 (B) to the extent feasible, be contained in
24 a printed box set apart from the other contents
25 of the communication; and

1 (C) to the extent feasible, be printed with
2 a reasonable degree of color contrast between
3 the background and the printed statement.

4 (2) RADIO, TELEVISION, AND INTERNET COM-
5 MUNICATION.—

6 (A) AUDIO COMMUNICATION.—Any audio
7 communication described in subsection (a)(2)
8 shall include an audio statement that commu-
9 nicates the information required under that
10 subsection in a clearly spoken manner.

11 (B) VIDEO COMMUNICATION.—Any video
12 communication described in subsection (a)(2)
13 shall include a statement with the information
14 referred to under that subsection—

15 (i) that is conveyed in a clearly spo-
16 ken manner;

17 (ii) that is conveyed by a voice-over or
18 screen view of the person making the state-
19 ment; and

20 (iii) to the extent feasible, that also
21 appears in writing at the end of the com-
22 munication in a clearly readable manner
23 with a reasonable degree of color contrast
24 between the background and the printed

1 statement, for a period of at least 4 sec-
2 onds.

3 (C) E-MAIL COMMUNICATION.—Any e-mail
4 communication described in subsection (a)(2)
5 shall include the information required under
6 that subsection, displayed in a manner that—

7 (i) is of sufficient type size to be
8 clearly readable by the recipient of the
9 communication;

10 (ii) is set apart from the other con-
11 tents of the communication; and

12 (iii) includes a reasonable degree of
13 color contrast between the background and
14 the printed statement.

15 (c) IDENTIFICATION OF OTHER FUNDING SOURCE
16 FOR CERTAIN COMMUNICATIONS.—In the case of a com-
17 munication funded entirely by user fees, by any other
18 source that does not include Federal funds, or by a com-
19 bination of such fees or other source, a Federal agency
20 may apply the requirements of subsections (a) and (b) by
21 substituting “by the United States Government” for “at
22 taxpayer expense”.

23 (d) DEFINITIONS.—In this Act:

24 (1) FEDERAL AGENCY.—The term “Federal
25 agency” has the meaning given the term “Executive

1 agency” in section 133 of title 41, United States
2 Code.

3 (2) MASS MAILING.—The term “mass mailing”
4 means any mailing or distribution of 499 or more
5 newsletters, pamphlets, or other printed matter with
6 substantially identical content, whether such matter
7 is deposited singly or in bulk, or at the same time
8 or different times, except that such term does not
9 include any mailing—

10 (A) in direct response to a communication
11 from a person to whom the matter is mailed; or

12 (B) of a news release to the communica-
13 tions media.

14 (e) SOURCE OF FUNDS.—The funds used by a Fed-
15 eral agency to carry out this Act shall be derived from
16 amounts made available to the agency for advertising, or
17 for providing information about any Federal Government
18 program, benefit, or service.

19 (f) EFFECTIVE DATE.—This section shall apply only
20 to communications printed or otherwise produced after the
21 date of the enactment of this Act.

22 **SEC. 3. GUIDANCE FOR IMPLEMENTATION.**

23 Not later than 6 months after the date of the enact-
24 ment of this Act, the Director of the Office of Manage-

1 ment and Budget shall develop and issue guidance on im-
2 plementing the requirements of this Act.

3 **SEC. 4. JUDICIAL REVIEW AND ENFORCEABILITY.**

4 (a) JUDICIAL REVIEW.—There shall be no judicial re-
5 view of compliance or noncompliance with any provision
6 of this Act.

7 (b) ENFORCEABILITY.—No provision of this Act shall
8 be construed to create any right or benefit, substantive
9 or procedural, enforceable by any administrative or judi-
10 cial action.