

105TH CONGRESS  
1ST SESSION

# H. R. 653

To amend the Federal Election Campaign Act of 1971 to permit interactive computer services to provide their facilities free of charge to candidates for Federal offices for the purpose of disseminating campaign information and enhancing public debate.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1997

Mr. WHITE (for himself, Mr. BOUCHER, Ms. DUNN, Mr. BOEHNER, Mr. GOODLATTE, and Mr. ENGLISH of Pennsylvania) introduced the following bill; which was referred to the Committee on House Oversight

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## A BILL

To amend the Federal Election Campaign Act of 1971 to permit interactive computer services to provide their facilities free of charge to candidates for Federal offices for the purpose of disseminating campaign information and enhancing public debate.

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 “Internet Election In-  
5       formation Act of 1997”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) For the purposes of enhancing public debate  
 2           and awareness, candidates for Federal office should  
 3           be encouraged to provide voters with meaningful and  
 4           substantive information about their candidacy and  
 5           important public policy issues.

6           (2) The Internet and other interactive computer  
 7           services did not exist when the laws that currently  
 8           govern Federal elections were enacted, and these  
 9           services represent a new medium where voters can  
 10          obtain meaningful and substantive information about  
 11          issues and candidates.

12 **SEC. 3. EXEMPTION OF DONATED INTERACTIVE COMPUTER**  
 13 **SERVICES FROM COVERAGE UNDER FED-**  
 14 **ERAL ELECTION CAMPAIGN ACT OF 1971.**

15          (a) EXEMPTION FROM TREATMENT AS CONTRIBU-  
 16 TION.—Section 301(8)(B) of the Federal Election Cam-  
 17 paign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

18           (1) by striking “and” at the end of clause (xiii);

19           (2) by striking the period at the end of clause  
 20           (xiv) and inserting “; and”; and

21           (3) by adding at the end the following new  
 22           clause:

23           “(xv) the value of services provided without  
 24           charge to a candidate by an interactive computer  
 25           service (defined as any information service that is

1 generally available to the public or access software  
2 provider that provides or enables computer access by  
3 multiple users to a computer server, including spe-  
4 cifically a service or system that provides access to  
5 the Internet and such systems operated or services  
6 offered by libraries or educational institutions) in  
7 permitting the candidate to use its facilities for dis-  
8 tributing election or candidate information, posting  
9 position papers, responding to campaign related in-  
10 quires, soliciting lawful contributions, convening  
11 electronic campaign forums, or otherwise lawfully  
12 utilizing the resources of the interactive computer  
13 service, if the service permits its facilities to be used  
14 for such purposes under the same terms and condi-  
15 tions by all other candidates in the election for the  
16 same office.”.

17 (b) EXEMPTION FROM TREATMENT AS EXPENDI-  
18 TURE.—Section 301(9)(B) of such Act (2 U.S.C.  
19 431(9)(B)) is amended—

- 20 (1) by striking “and” at the end of clause (ix);  
21 (2) by striking the period at the end of clause  
22 (x) and inserting “; and”; and  
23 (3) by adding at the end the following new  
24 clause:

1           “(xi) any direct costs incurred by an interactive  
2           computer service (defined as any information service  
3           that is generally available to the public or access  
4           software provider that provides or enables computer  
5           access by multiple users to a computer server, in-  
6           cluding specifically a service or system that provides  
7           access to the Internet and such systems operated or  
8           services offered by libraries or educational institu-  
9           tions) in permitting a candidate to use its facilities  
10          for distributing election or candidate information,  
11          posting position papers, responding to campaign re-  
12          lated inquiries, soliciting lawful contributions, con-  
13          vening electronic campaign forums, or otherwise law-  
14          fully utilizing the resources of the interactive com-  
15          puter service, if the service permits its facilities to  
16          be used for such purposes under the same terms and  
17          conditions by all other candidates in the election for  
18          the same office.”.

19 **SEC. 4. EFFECTIVE DATE.**

20          The amendments made by this Act shall take effect  
21 on the date of the enactment of this Act.

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