

104TH CONGRESS  
2D SESSION

# H. R. 3700

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 1996

Received

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Internet Election In-  
3 formation Act of 1996”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) For the purposes of enhancing public debate  
7 and awareness, candidates for Federal office should  
8 be encouraged to provide voters with meaningful and  
9 substantive information about their candidacy and  
10 important public policy issues.

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

17 **SEC. 3. EXEMPTION OF DONATED INTERACTIVE COMPUTER**  
18 **SERVICES FROM COVERAGE UNDER FED-**  
19 **ERAL ELECTION CAMPAIGN ACT OF 1971.**

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

23 (1) by striking “and” at the end of clause (xiii);  
24 (2) by striking the period at the end of clause  
25 (xiv) and inserting “; and”; and

1           (3) by adding at the end the following new  
2 clause:

3           “(xv) the value of services provided without  
4 charge to a candidate by an interactive computer  
5 service (defined as any information service that is  
6 generally available to the public or access software  
7 provider that provides or enables computer access by  
8 multiple users to a computer server, including spe-  
9 cifically a service or system that provides access to  
10 the Internet and such systems operated or services  
11 offered by libraries or educational institutions) in  
12 permitting the candidate to use its facilities for dis-  
13 tributing election or candidate information, posting  
14 position papers, responding to campaign related in-  
15 quires, soliciting lawful contributions, convening  
16 electronic campaign forums, or otherwise lawfully  
17 utilizing the resources of the interactive computer  
18 service, if the service permits its facilities to be used  
19 for such purposes under the same terms and condi-  
20 tions by all other candidates in the election for the  
21 same office.”.

22           (b) EXEMPTION FROM TREATMENT AS EXPENDI-  
23 TURE.—Section 301(9)(B) of such Act (2 U.S.C.  
24 431(9)(B)) is amended—

25           (1) by striking “and” at the end of clause (ix);

1           (2) by striking the period at the end of clause  
2           (x) and inserting “; and”; and

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

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

1 **SEC. 4. EFFECTIVE DATE.**

2       The amendments made by this Act shall take effect  
3 on the date of the enactment of this Act.

        Passed the House of Representatives September 26,  
1996.

Attest:

ROBIN H. CARLE,  
*Clerk.*