



Election Advertising Legislative Principles

Internet Association member companies are committed to working with legislators and other stakeholders to ensure greater transparency in online election advertising and to prevent foreign governments or their agents from using online platforms to disrupt the integrity of elections.

We believe that legislative solutions should focus on improving transparency generally and preventing illegal behavior by foreign agents while also protecting privacy, legitimate free speech and political debate online.

INTERNET ASSOCIATION LEGISLATIVE PRINCIPLES:

- **Ensure accountability.** Legislation should give the Federal Elections Commission (FEC) authority to regulate and enforce online advertising disclosure obligations for election advertising and provide a uniform standard of disclosure for such ads that are displayed across the country.
- **Clarify the responsibility of advertising platforms.** Legislation or regulation should require all ad platforms to disclose information publicly about the political ads they carry. A solution to this problem will only be effective if every participant in the ecosystem works together to address it.
- **Establish clear responsibility for advertisers.** Legislation should require advertisers to provide information to platforms that enables disclosure about the advertiser's identity even if they place ads through an agency or other intermediaries.
- **Focus on foreign actors.** In addition to taking steps to strengthen transparency in election advertising, Congress should consider measures that could strengthen the government's existing authority to prevent foreign interference in U.S. elections.
- **Provide clear definitions of election advertising.** Legislation or regulation should establish clear definitions and objective criteria to trigger removal or disclosure of election advertising. Vague definitions that leave a lot of room for interpretation will create significant challenges for the regulator and/or the platform responsible for deciding which ads fall into the category of ads to be disclosed or removed.
- **Balance transparency and free speech.** Legislation or regulation should improve transparency and disclosure of online election advertising without creating requirements that would discourage legitimate stakeholders from actively engaging in the political process or limit political speech. Proposals that would hold platforms liable for advertisers' claims could discourage platforms from carrying ads from individual citizens or legitimate groups that aren't well known or established.
- **Balance transparency and individuals' privacy.** Legislation or regulation needs to protect people's privacy. While certain types of information could be made accessible to the FEC for investigative purposes, legislation should avoid requiring that personal information about individuals who purchase advertising be disclosed publicly.
- **Provide modern disclosure requirements.** Legislation or regulation should take into account the current state of advertising technology, various formats of content, likely future developments and the cross jurisdictional nature of advertising campaigns online.

Internet Association member companies look forward to working with Congress and other stakeholders on these issues. We are committed to providing detailed technical expertise to ensure transparency in election advertising, protecting the integrity of the U.S. electoral process, and helping ensure that online platforms are not exploited by malicious third parties aiming to disrupt the integrity of elections.