

# FEC Comment Deadline Ending Soon

## LAST CHANCE TO MAKE YOUR VOICE HEARD ON NEW INTERNET DISCLAIMER RULES

May 2018

As detailed in our March 15 client alert, the Federal Election Commission (FEC) is currently conducting a formal rulemaking on the disclaimer requirements applicable to many audio, video, graphic, and text-based political advertisements disseminated through the Internet, cell phones, and other digital devices. This proceeding is the first Internet-focused rulemaking at the FEC in over a decade and will impact Internet advertising for candidates, political committees, interest groups, advertising vendors, and all digital advertising platforms.

Notably, the rulemaking offers two alternative approaches to complying with the disclaimer requirements. At its most recent meeting, commissioners supplemented the original rulemaking with a series of examples detailing how the two proposals would apply to actual ads on Facebook, Instagram, etc. As these examples illustrate, some online ads that would be permissible under one approach would be effectively banned under the second approach because they do not comply with the latter's interpretation of the disclaimer requirements.

Comments are due on May 25, with a public hearing scheduled for June 27. Wiley Rein is available to work with interested parties to submit comments.

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## Practice Areas

Election Law & Government Ethics