



Campaign Legal Center * 215 E Street NE * Washington, DC 20002 * 202-736-2200 * www.campaignlegalcenter.org

Federal Rules for Political Advertising on Television and Radio

	Candidate Ad	Electioneering Communication (EC)	Independent Expenditure Ad (IE)	Issue Ad
Definition	A communication (television, radio or print) that is paid for by the authorized committee of a candidate.	A broadcast television or radio ad that mentions the name of a federal candidate within 60 days of a general election or 30 days of a primary and is targeted to the relevant electorate.	A communication (television, radio or print) that expressly advocates the election or defeat (e.g., "vote for," "elect," "vote against," "defeat") of a "clearly identified federal candidate" that is not made in coordination or cooperation with that candidate.	A communication (television, radio or print) that discusses political issues rather than specific candidates. (NOTE: The term "issue ad" is not specifically defined in federal law.) An issue ad may mention an officeholder (or potential candidate), but if such an ad mentions a federal candidate and it also contains "express advocacy" (IE) or is run within the 30/60 days window (EC), it becomes subject to FEC disclosure requirements.
Funding	Authorized candidate committees can spend unlimited amounts on behalf of their designated candidate. A candidate committee must raise contributions in accordance with federal candidate source and amount limitations.	ECs are usually funded by PACs, Super PACs, 501(c)(4) social welfare organizations, labor unions, corporations, trade associations or individuals. Ad sponsors may spend unlimited amounts from any non-foreign source. <i>Before Citizens United, corporations and labor unions could not use treasury funds to pay for ECs.</i>	IEs are usually funded by PACs, Super PACs, party committees, 501(c)(4) social welfare organizations, labor unions, corporations, trade associations or individuals. Ad sponsors may spend unlimited amounts from any non-foreign source. <i>Before Citizens United, corporations and labor unions could not use treasury funds to pay for IEs.</i>	Issue ads are usually funded by 501(c)(3) charitable organizations, 501(c)(4) social welfare organizations, labor unions, corporations, trade associations or individuals. Ad sponsors may spend unlimited amounts from any source.
FEC Disclosure	Federal candidates (U.S. House, Senate or Presidency) must register their candidacy with the FEC within 15 days after he or she receives contributions or makes expenditures in excess of \$5,000 . The candidate's authorized committee must make regular reports to the FEC on all of its receipts and disbursements.	Within 24 hours of the date of airing the EC, the person or organization making an EC that aggregates more than \$10,000 must report to the FEC. An organization must report the name and address of each donor who, since the first day of the preceding calendar year, has	Once the individual's or committee's aggregate IE spending in a calendar year reaches or exceeds \$10,000 with respect to a given election, a 48-hour IE report must be filed. Up to 20 days before the election, additional 48-hour reports are required for subsequent IEs for the same election that aggregate \$10,000 or more.	None.

This table is intended to provide a general summary of federal political advertising rules as of September 2014. It does not capture all of the nuances and exceptions in the law. It should not be relied upon as legal advice for particular circumstances or situations. Please contact the Campaign Legal Center at (202) 736-2200 with specific questions.



Campaign Legal Center * 215 E Street NE * Washington, DC 20002 * 202-736-2200 * www.campaignlegalcenter.org

Federal Rules for Political Advertising on Television and Radio

	Candidate Ad	Electioneering Communication (EC)	Independent Expenditure Ad (IE)	Issue Ad
		<p>donated in the aggregate \$1,000 or more to the person making the disbursement.</p> <p><i>Corporations and labor organizations must only disclose donors who contributed \$1,000 or more "for the purpose of furthering" ECs (i.e., not contributions made for general support of the organization.)</i></p>	<p>Within 20 days before the election, 24-hour reports are required for each additional \$1,000 expenditure for a given election.</p> <p>If the IE is made by a party committee, PAC or Super PAC, the donors of more than \$200 must be disclosed in the committee's contribution reports.</p> <p><i>If the IE is made by an individual or organization that is not a political committee, only those donors of more than \$200 who contributed for a specific IE must be disclosed.</i></p>	
FCC Disclosure for Federal Elections	All TV/radio outlets must include the rate charged, the date/time on which the ad ran, the class of time purchased, the name of the candidate's committee and the candidate committee's treasurer.	<p>If an EC is run on broadcast TV/radio and is regarding a legally qualified candidate for any office, any election to federal office or "a national legislative issue of public importance," the broadcast TV/radio outlet must disclose in their online political file on the FCC database, among other things, the rate charged, the date/time on which the communication ran, the class of time purchased, the name of the candidate to which the communication refers and the office, the name of the person purchasing the time and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.</p> <p><i>Cable and satellite providers need only to disclose the ad sponsor's</i></p>	<p>If an IE is run at any time on a broadcast TV/radio station (to be an IE the ad must "expressly advocate" the defeat or election of candidate for federal office), the broadcast TV/radio outlet must disclose in their online political file on the FCC database, among other things, the rate charged for the time, the date and time the communication aired, the class of time purchased, the name of the candidate to which the communication refers and the office, the name of the person purchasing the time and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.</p> <p><i>Cable and satellite providers need only to disclose the ad sponsor's name and a list of the sponsor's lead</i></p>	<p>All political ads on TV/radio outlets must include sponsorship identification about who paid for the ad.</p> <p>If the issue ad is regarding a national legislative issue of public importance, it is subject to the same disclosure rules as IEs.</p>

This table is intended to provide a general summary of federal political advertising rules as of September 2014. It does not capture all of the nuances and exceptions in the law. It should not be relied upon as legal advice for particular circumstances or situations. Please contact the Campaign Legal Center at (202) 736-2200 with specific questions.



Campaign Legal Center * 215 E Street NE * Washington, DC 20002 * 202-736-2200 * www.campaignlegalcenter.org

Federal Rules for Political Advertising on Television and Radio

	Candidate Ad	Electioneering Communication (EC)	Independent Expenditure Ad (IE)	Issue Ad
		<i>name and list of the sponsor's lead officers/directors.</i>	<i>officers/directors.</i>	
Other FCC Rules (covers federal, state, and local elections)	If the candidate is running for federal office, the candidate is entitled to " reasonable access " to run ads. Federal candidates are required to include " stand by your ad " disclaimers in their ads. Legally qualified candidates for political office at all levels are entitled to " equal opportunity " and to purchase time at the " lowest unit rate " -- the lowest rate offered to the station's best advertisers. Once the time is sold to any candidate, a station cannot censor a candidate's ad.	Any TV/radio outlet may refuse to sell time for an EC. Usually, such rejections are because the station has sold out of time or the station determines that, in its judgment, the content of the proposed ad offends community sensibilities.	Any TV/radio outlet may refuse to sell time for an IE. Usually, such rejections are because the station has sold out of time or the station determines that, in its judgment, the content of the proposed ad offends community sensibilities.	If the ad concerns a " political matter or matter involving a controversial issue of public importance " but does not meet the BCRA requirements or contain "express advocacy" regarding a federal candidate, the station must disclose in their political file the name of the ad's sponsor and a list of the sponsor's lead officers or directors. Any TV/radio outlet may refuse to run an issue ad. Usually, such rejections are made on the basis that the station has sold out of time or the station determines that, in its judgment, the content of the proposed ad offends community standards.

This table is intended to provide a general summary of federal political advertising rules as of September 2014. It does not capture all of the nuances and exceptions in the law. It should not be relied upon as legal advice for particular circumstances or situations. Please contact the Campaign Legal Center at (202) 736-2200 with specific questions.