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**Comment on ADR 2013-18**

**United States Senate**

WASHINGTON, DC 20510-3703

September 16, 2013

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Ellen L. Weintraub  
Chair  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

2013 OCT 24 AM 11:00  
OFFICE OF GENERAL COUNSEL  
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FEDERAL ELECTION COMMISSION

Dear Chair Weintraub:

I write today out of concern over any requests to the Federal Election Commission (FEC) to exempt banner advertisements on mobile devices from disclaimer language that is otherwise required for most political advertising and materials. I ask that you resist any efforts to encourage further growth of anonymous election spending.

Exempting banner advertisements from this requirement would further weaken the already fragile federal disclosure laws and harm the democratic process. At a time when political actors are finding countless new ways to avoid disclosure, I strongly encourage the FEC to maintain, if not strengthen, the disclosure laws and regulations that are already in place.

As you know, the Federal Election Campaign Act requires public communications by political committees to contain the name of the responsible political committee and whether the communication was authorized by a candidate. Such disclosures ensure that the targeted audience knows whether a candidate is behind the political advertisements.

While in some cases the Supreme Court has rejected limits on political spending, it has still acknowledged disclosure as vital to elections and democracy. As Justice Antonin Scalia wrote in *Doe v. Reed* in 2010, "requiring people to stand up in public for their political acts fosters civic courage, without which democracy is doomed," and that both campaigning and petitioning anonymously were destructive to a democratic system. At the very minimum, the American people deserve to know who is behind the campaign advertisements that increasingly flood the airwaves, televisions, computers, and, now smartphones.

I strongly believe that there are practical approaches that can encourage technological innovations to be part of the election process without weakening disclosure or transparency, and, again, urge strong resistance to any efforts to encourage additional anonymous election spending.

Thank you for your attention to this request.

Sincerely,

U.S. Senator Ron Wyden

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