

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3308
OFFERED BY MR. FARENTHOLD OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Taxpayer Trans-
3 parency Act of 2014”.

**4 SEC. 2. REQUIREMENTS FOR PRINTED MATERIALS AND AD-
5 VERTISEMENTS BY FEDERAL AGENCIES.**

6 (a) REQUIREMENT TO IDENTIFY FUNDING SOURCE
7 FOR COMMUNICATION FUNDED BY FEDERAL AGENCY.—
8 Each communication funded by a Federal agency that is
9 an advertisement, or that provides information about any
10 Federal Government program, benefit, or service, shall
11 clearly state—

12 (1) in the case of a printed communication, in-
13 cluding mass mailings, signs, and billboards, that
14 the communication is printed or published at tax-
15 payer expense; and

16 (2) in the case of a communication transmitted
17 through radio, television, the Internet, or any means
18 other than the means referred to in paragraph (1),

1 that the communication is produced or disseminated
2 at taxpayer expense.

3 (b) ADDITIONAL REQUIREMENTS.—

4 (1) PRINTED COMMUNICATION.—Any printed
5 communication described in subsection (a)(1) shall—

6 (A) be of sufficient type size to be clearly
7 readable by the recipient of the communication;

8 (B) to the extent feasible, be contained in
9 a printed box set apart from the other contents
10 of the communication; and

11 (C) to the extent feasible, be printed with
12 a reasonable degree of color contrast between
13 the background and the printed statement.

14 (2) RADIO, TELEVISION, AND INTERNET COM-
15 MUNICATION.—

16 (A) AUDIO COMMUNICATION.—Any audio
17 communication described in subsection (a)(2)
18 shall include an audio statement that commu-
19 nicates the information required under that
20 subsection in a clearly spoken manner.

21 (B) VIDEO COMMUNICATION.—Any video
22 communication described in subsection (a)(2)
23 shall include a statement with the information
24 referred to under that subsection—

1 (i) that is conveyed in a clearly spo-
2 ken manner;

3 (ii) that is conveyed by a voice-over or
4 screen view of the person making the state-
5 ment; and

6 (iii) to the extent feasible, that also
7 appears in writing at the end of the com-
8 munication in a clearly readable manner
9 with a reasonable degree of color contrast
10 between the background and the printed
11 statement, for a period of at least 4 sec-
12 onds.

13 (C) E-MAIL COMMUNICATION.—Any e-mail
14 communication described in subsection (a)(2)
15 shall include the information required under
16 that subsection, displayed in a manner that—

17 (i) is of sufficient type size to be
18 clearly readable by the recipient of the
19 communication;

20 (ii) is set apart from the other con-
21 tents of the communication; and

22 (iii) includes a reasonable degree of
23 color contrast between the background and
24 the printed statement.

1 (c) IDENTIFICATION OF OTHER FUNDING SOURCE
2 FOR CERTAIN COMMUNICATIONS.—In the case of a com-
3 munication funded entirely by user fees, by any other
4 source that does not include Federal funds, or by a com-
5 bination of such fees or other source, a Federal agency
6 may apply the requirements of subsections (a) and (b) by
7 substituting “by the United States Government” for “at
8 taxpayer expense”.

9 (d) DEFINITIONS.—In this Act:

10 (1) FEDERAL AGENCY.—The term “Federal
11 agency” has the meaning given the term “Executive
12 agency” in section 133 of title 41, United States
13 Code.

14 (2) MASS MAILING.—The term “mass mailing”
15 means any mailing or distribution of 499 or more
16 newsletters, pamphlets, or other printed matter with
17 substantially identical content, whether such matter
18 is deposited singly or in bulk, or at the same time
19 or different times, except that such term does not
20 include any mailing—

21 (A) in direct response to a communication
22 from a person to whom the matter is mailed; or

23 (B) of a news release to the communica-
24 tions media.

1 (e) SOURCE OF FUNDS.—The funds used by a Fed-
2 eral agency to carry out this Act shall be derived from
3 amounts made available to the agency for advertising, or
4 for providing information about any Federal Government
5 program, benefit, or service.

6 (f) EFFECTIVE DATE.—This section shall apply only
7 to communications printed or otherwise produced after the
8 date of the enactment of this Act.

9 **SEC. 3. GUIDANCE FOR IMPLEMENTATION.**

10 Not later than 6 months after the date of the enact-
11 ment of this Act, the Director of the Office of Manage-
12 ment and Budget shall develop and issue guidance on im-
13 plementing the requirements of this Act.

14 **SEC. 4. JUDICIAL REVIEW AND ENFORCEABILITY.**

15 (a) JUDICIAL REVIEW.—There shall be no judicial re-
16 view of compliance or noncompliance with any provision
17 of this Act.

18 (b) ENFORCEABILITY.—No provision of this Act shall
19 be construed to create any right or benefit, substantive
20 or procedural, enforceable by any administrative or judi-
21 cial action.

