

113TH CONGRESS
1ST SESSION

H. R. 3420

To require any communication using Federal funds to advertise or educate the public on certain provisions of the Patient Protection and Affordable Care Act and the Healthcare and Education Reconciliation Act of 2010 to state that such communication was produced at taxpayer expense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2013

Mr. KINGSTON introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require any communication using Federal funds to advertise or educate the public on certain provisions of the Patient Protection and Affordable Care Act and the Healthcare and Education Reconciliation Act of 2010 to state that such communication was produced at taxpayer expense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Truth in Obamacare
3 Advertising Act of 2013”.

4 **SEC. 2. REQUIREMENTS FOR ADVERTISEMENTS OF THE AF-**
5 **FORDABLE CARE ACT.**

6 (a) IDENTIFICATION OF COST TO TAXPAYERS.—

7 Each communication that is federally funded, directly or
8 indirectly, to advertise or educate the public on the provi-
9 sions described in subsection (c) or any programs, activi-
10 ties, requirements, or regulations established, funded, or
11 authorized by such provisions, shall include—

12 (1) the following statement: “The Congressional
13 Budget Office estimates that Obamacare will cost
14 taxpayers \$1.76 trillion over a decade.”; and

15 (2) a statement clearly indicating—

16 (A) in the case of a printed communica-
17 tion, including mailings, signs, and billboards,
18 that the communication is printed and pub-
19 lished at taxpayer expense; or

20 (B) in the case of a communication trans-
21 mitted through radio, television, the Internet, or
22 any means other than the means described in
23 subparagraph (A), that the communication is
24 produced and disseminated at taxpayer expense.

25 (b) ADDITIONAL REQUIREMENTS.—

1 (1) PRINTED COMMUNICATION.—Any statement
2 required under subparagraph (A) of subsection
3 (a)(2) for a printed communication shall—

4 (A) be of sufficient type size to be clearly
5 readable by the viewer of the communication;

6 (B) be contained in a printed box set apart
7 from the other contents of the communication;
8 and

9 (C) be printed with a reasonable degree of
10 color contrast between the background and the
11 printed statement.

12 (2) AUDIO, VIDEO, AND INTERNET COMMUNICA-
13 TION.—

14 (A) REQUIREMENT FOR AUDIO AND VIDEO
15 COMMUNICATION.—Any statement required
16 under subparagraph (B) of subsection (a)(2)
17 for an audio or video communication shall be
18 conveyed in a clearly spoken manner.

19 (B) ADDITIONAL REQUIREMENTS FOR
20 VIDEO COMMUNICATION.—In addition to the re-
21 quirement in subparagraph (A), any statement
22 required under subparagraph (B) of subsection
23 (a)(2) for a video communication shall—

1 (i) be conveyed by a voice-over or
2 screen view of the person making the state-
3 ment; and

4 (ii) appear in writing at the end of the
5 communication in a clearly readable man-
6 ner with a reasonable degree of color con-
7 trast between the background and the
8 printed statement, for a period of at least
9 4 seconds.

10 (C) REQUIREMENTS FOR E-MAIL COMMU-
11 NICATION.—Any statement required under sub-
12 paragraph (B) of subsection (a)(2) for an e-
13 mail communication shall—

14 (i) be of sufficient type size to be
15 clearly readable by the recipient of the
16 communication;

17 (ii) be set apart from the other con-
18 tents of the communication; and

19 (iii) be displayed with a reasonable de-
20 gree of color contrast between the back-
21 ground and the statement.

22 (c) COVERED PROVISIONS.—The requirements in this
23 section apply to the following provisions of Federal law:

1 (1) Title I of the Patient Protection and Af-
2 fordable Care Act (Public Law 111–148), including
3 any amendments made by such provisions.

4 (2) Any provision of the Patient Protection and
5 Affordable Care Act that amends title XIX of the
6 Social Security Act (42 U.S.C. 1396 et seq.) or oth-
7 erwise expands, provides funding for, or modifies the
8 Medicaid program under such title.

9 (3) Subtitles A, C, and E of title I and subtitle
10 B of title II of the Health Care and Education Rec-
11 onciliation Act of 2010 (Public Law 111–152), in-
12 cluding any amendments made by such provisions.

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