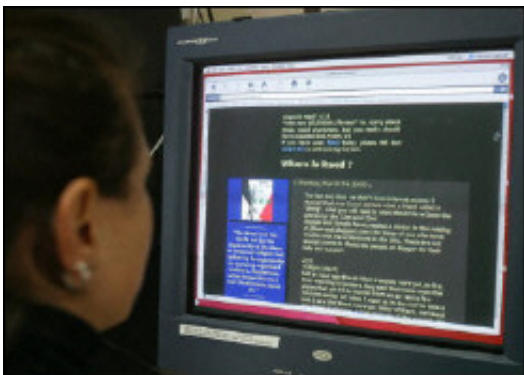


Bloggers revisited in campaign-finance law

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A bill that would exempt bloggers from campaign-finance laws was approved Thursday by the Committee on House Administration and comes just in time as the Federal Electoral Commission will release its decision as early as this week on how campaign-finance rules will apply to Web sites, Internet ads and blogs.

However, the new legislation begs to question the differentiating role and conduct of bloggers worldwide, with some 30.4 million sites today, blog counter Technorati cites.

The Online Freedom of Speech Act (H.R. 1606) introduced last year, by Rep. Jeb Hensarling, R-Texas, was defeated when it fell short of the two-thirds vote it needed to pass in the House, 225-182.

Sen. Bill Frist, R-Tenn., filed the amendment as part of the lobbying reform bill last week that would amend the Federal Election Campaign Act of 1971 by excluding the Internet from the definition of public communications.

On approving the bill, Chairman Vernon J. Ehlers, R-Mich, said in a statement that it was necessary to "allow bloggers and other online activists to express their views on the Internet without fear of running afoul of our campaign finance laws."

"We don't want bloggers to have to check with a federal agency before they go online," he added. "They shouldn't have to read FEC advisory opinions, or hire federal election lawyers to make sure what they are doing is legal. They should be able to express their views on politics and politicians without having to worry about running afoul of our election laws."

Approving the bill comes in time as the FEC is scheduled to vote on regulations governing political speech on the Internet on March 16, which is expected to be under review by the House.

And a mixed batch of bloggers, mainly conservative, is drumming up support for the bill.

"We need to be encouraging, not discouraging, political involvement online and any FEC regulation could have a frightening effect on one of our most cherished rights -- freedom of speech," posted Rep. Jack Kingston, R-Ga., on the Republican community blog RedState.com.

Political bloggers Markos Moulitsas Zúniga and Michael Krempasky from DailyKos.com and RedState.com respectively are urging the passing of the H.R. 1606 over a proposal from the Center for Democracy and Technology that says the Hensarling bill provides

potential loopholes for soft money.

They say the proposal should be reviewed by members but does not make it an alternative to the Hensarling bill.

In a letter to members of Congress, both wrote that "Congress needs to pass the Online Freedom of Speech Act now and consider long-term answers later."

"H.R. 1606 would preserve the status quo which governed the 2004 election cycle and beyond, one in which a vibrant blogosphere empowered millions of citizens to influence national politics, leveling the effect of wealth on the electoral process, and without any of the corruption which its opponents now fear," they wrote.

Yet, other bloggers including like Michael Hampton of the blog "Homeland Stupidity" says his blog would not really be affected by FEC regulations, rather he says that the blog space should be completely unregulated.

"And after carefully reconsidering the issue, I am still of the opinion that the only Internet campaign finance reform we need is for the Federal Election Commission to stay away from the Internet entirely," Hampton wrote in his March 10 blog.

"The CDT proposal is going to do the same thing to the Internet as existing campaign finance laws do: make it harder for third parties to get their message out," he added. "And since one third party has the most important message few people are hearing, it's absolutely vital that every possible avenue for communicating that message be protected."

But several activist groups are calling for even broader exemption of bloggers and online political communication contained in the CDT

proposal, saying that the Hensarling bill could allow aggressive spending in Internet campaigns.

The CDT proposal is being supported by the Campaign Legal Center, Common Cause, Democracy 21, the League of Women Voters, Public Citizen and U.S. PIRG and would provide broader exemption for bloggers for campaign finance laws.

"Although we fully support the spirit of the House measure, we're concerned that the bill is both overbroad and under-inclusive. H.R 1606 deals with only one of the burdens facing individual speakers online. We want to make sure that a blogger won't have to hire a lawyer before commenting on an upcoming election," said CDT Staff Counsel John Morris. "We've worked extensively with proponents on all sides of this issue, and we are confident that this proposal addresses all the major concerns that have been raised."

According to the CDT, the Hensarling bill excludes all online campaign ads which would allow candidates, corporations, and individuals in coordination with federal candidates and state parties, to spend unlimited amounts.

Instead, the CDT criticizes the Hensarling bill for opening a soft money loophole that would allow essentially Internet advertising.

The CDT proposal would: raise the threshold of becoming a political committee from \$1,000 to \$10,000 for Internet-related expenses; raise independent expenditures threshold by an individual from \$250 to \$5,000; require a disclaimer for communications over the Internet where more than \$5,000 was spent; provides that online press activities qualify for the media exemption from the campaign finance laws; and exclude campaign ads for federal elections purchased on another's person Web site unless \$5,000 aggregate was spent.

Still, ethical questions remain brewing on the role and the impact of blogging in campaign elections especially as the number of political blogs rise.

But a number of commentators and bloggers are saying otherwise, questioning whether a new form of payola or plugola emerging and how far ethical standards from the professional media world should be extended to bloggers.

Recent discussions came after several bloggers were invited to Amsterdam thanks to Holland's tourism board as well as an event footed by al-Jazeera. Bloggers say transparency is key.

"An estimated 28.8 million bloggers publish on the Internet, while by comparison there are only a paltry 2,500 U.S. daily and Sunday newspapers published," wrote Alvin Snyder, a senior fellow at University of Southern California's Center on Public Diplomacy, in his March 9 piece "The Ethical Dilemma of Blogging."

"As blogging grows and matures, it needs to confront an ethical issue, as its senior ink-to-paper colleagues have, where free trips and other gratuities are offered by those who would likely expect a return on their investment," he added.

And scholars and professionals will continue to wrestle with the norms established in the blogging world as the medium matures.

As Daniel Glover asked in his March 10 blog "Beltway Blogroll" -- "If al-Jazeera invites dozens of bloggers to the Middle East in order to cover a forum that is designed to promote the Arab television station, should those bloggers: a) take the free trip, or b) disclose the freebie to their readers if they do?"

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