



COMMITTEE ON
HOUSE ADMINISTRATION
RANKING MEMBER RODNEY DAVIS

REPUBLICANS

Why the “SHIELD Act” Doesn’t Solve Anything

House Republicans remain committed to securing our nation’s elections with well-thought-out legislation that addresses actual problems facing our elections systems, while balancing the need to protect Americans’ First Amendment rights. Democrats have proposed a bill designed to limit foreign influence in our elections and regulate online advertisements. The “SHIELD Act” is a trojan horse that presents seemingly reasonable protections while disguising its free speech restrictions that have unintended, but substantial consequences on American citizens and is another attempt by Democrats to federalize the election process.

SHIELD would not prevent Russian tampering:

- H.R. 4617 does not prevent traditional social media posts or troll farms, which was the primary means Russia attempted to influence the 2016 election through social media.
- In the build up to the 2016 election, Russian operatives broke many existing U.S. laws in their attempt to spread misinformation, and nothing in SHIELD would provide additional resources to law enforcement officials to pursue these foreign actors.
- Total spending on digital political ads was \$1.4 billion in the 2016 election cycle. Russia spent only \$100,000 over two years on Facebook ads, the majority of which were not election ads and wouldn’t be regulated by this bill.

SHIELD mandates federal overreach in elections:

- The bill aims not to impede “legitimate” journalistic activities but gives the federal government the responsibility of determining what qualifies as “legitimate” press/news. Do we really want the federal government deciding on what is a legitimate news outlet?
- It would allow the U.S. Attorney General to interfere in state elections, thereby violating concepts of federalism and putting too much power in the hands of unelected DC officials.
- SHIELD would not prevent the DNC from funding the now debunked *Steele Dossier*, which was opposition research created by a foreign entity targeting the President.

Attempts to apply aging regulations to advanced technology:

- SHIELD applies the same TV regulations for the internet, but the internet is a different platform of communication.
- Disclaimer regulations related to television advertising has largely remained the same for decades and is generally not in need of updating because an industry has been built around the existing regulatory regime. However, the internet is always evolving, and the regulations related to TV advertising do not fit well with internet ads
- Having four seconds of disclaimer information on an internet advertisement would take up almost half of most ads.
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SHIELD Act will create a chilling effect on free speech:

- It would expand the definition of “electioneering communication” to include “issues of national importance,” a generally broad term that is not defined in law or regulation.
- The bill will take ads that are not political in nature and classify them as such, which will cause problems for many advocacy organizations or even companies that have nothing to do with politics (i.e. See examples of nonpolitical advertisements that are already being flagged on Facebook as political on back of page).
- These burdensome online requirements have a chilling effect on free speech.

Examples of Advertisements that are not political but are categorized and treated as political advertisements.

Issue, Electoral or Political

● Active
Started running on Sep 24, 2019
ID: 987157668295833

● About social issues, elections or politics

Walmart
Sponsored • Paid for by Walmart
ID: 360252281248308

We're proud to employ over 11,000 associates in West Virginia. Learn how we're investing in opportunity for West Virginians today:



Investing in West Virginia
Learn how Walmart is investing in local communities in West Virginia.
CORPORATE.WALMART.COM

[See Ad Details](#)

● Inactive
Oct 31, 2018 - Oct 31, 2018
ID: 907903142736969

● About social issues, elections or politics

Pizza Crave
Sponsored • Paid for by Pizza Crave
ID: 907903142736969

Happy Halloween! Celebrate with \$10 Pizza Pies at Pizza Crave & Order Online Now!  [www.PizzaCraveNJ.com](#)



Pizza Crave [Shop Now](#)

[See Ad Details](#)

● Inactive
Started running on Mar 6, 2019
ID: 360252281248308

● This ad ran without a disclaimer. 

HotDogCollars.com
Sponsored
ID: 360252281248308

Shop thousands of styles of dog collars, cat collars, leashes, ID tags, and more! Get Free Shipping on orders \$30+.

Free Shipping Over \$30 From \$7.95



Affordable Pet Products [Shop Now](#)

Animal Prints Collection [Shop Now](#)

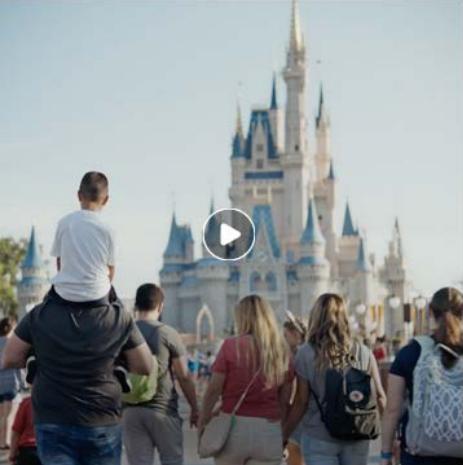
[See Ad Details](#)

● Inactive
Mar 14, 2019 - Mar 31, 2019
ID: 2077405222357996

● This ad ran without a disclaimer. 

Walt Disney World
Sponsored
ID: 2077405222357996

May all your family reunions be this magical. #FamiliaFirst



Walt Disney World Resort | "Meet Up"
[HTTPS://DISNEYWORLD.DISNEYGO.COM](https://DISNEYWORLD.DISNEYGO.COM) [Learn More](#)

● Inactive
Aug 17, 2018 - Sep 15, 2018
ID: 261627498023337

● This ad ran without a disclaimer. 

Target
Sponsored
ID: 261627498023337

Get game day ready. Save on select Vizio TVs.



Save on select Vizio TVs [Shop Now](#)

Game Day is Coming
Shop now & save.
TARGET.COM

[See Ad Details](#)

● Inactive
Sep 15, 2019 - Sep 21, 2019
ID: 911906619179315

● About social issues, elections or politics

MyWmtGear
Sponsored • Paid for by MyWmtGear
ID: 911906619179315

MyWmtGear | Online Grocery #onlinegrocerypickup
#walmartpickup #mywalmart #teamwalmart #walmartlife
#SparkKindness #walmartonlinegrocerypickup #walmartcrew



MyWmtGear [Shop Now](#)

[See Ad Details](#)