

118TH CONGRESS
1ST SESSION

S. 2423

To require covered digital advertising platforms to report their public service advertisements.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2023

Mr. SULLIVAN (for himself and Mr. PETERS) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To require covered digital advertising platforms to report
their public service advertisements.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advancing Digital Sup-
5 port for Mental Health Services Act” or the “ADS for
6 Mental Health Services Act”.

1 **SEC. 2. DIGITAL ADVERTISING PLATFORMS PUBLIC SERV-**
2 **ICE ADVERTISING REPORTING.**

3 (a) IN GENERAL.—A covered digital advertising plat-
4 form shall submit to the Commission an annual report
5 that includes the following:

6 (1) The number and percentage of total adver-
7 tisements on the platform during the previous 12-
8 month period that were public service advertise-
9 ments.

10 (2) The estimated dollar value of such public
11 service advertisements.

12 (3) The number of such public service adver-
13 tisements that focus on local or regional mental, be-
14 havioral, and physical health resources.

15 (4) The number of such public service adver-
16 tisements that promote free mental, behavioral, or
17 physical health care resources.

18 (5) A description of how such advertisements
19 meet the definition of a public service advertisement
20 as described in subsection (c)(3).

21 (b) REPORT TO CONGRESS.—Not later than 180 days
22 after receiving the reports required under subsection (a),
23 and annually thereafter, the Commission shall submit to
24 the Committee on Commerce, Science, and Transportation
25 of the Senate and the Committee on Energy and Com-
26 merce of the House of Representatives a publicly available

1 report summarizing the information reported under such
 2 subsection.

3 (c) DEFINITIONS.—In this Act:

4 (1) COMMISSION.—The term “Commission”
 5 means the Federal Trade Commission.

6 (2) PUBLIC SERVICE ADVERTISEMENT.—The
 7 term “public service advertisement” means an adver-
 8 tisement that—

9 (A) a covered digital advertising platform
 10 displays for free and without receiving any pay-
 11 ment or other consideration in exchange;

12 (B) promotes mental, behavioral, or phys-
 13 ical health care resources, and may include ad-
 14 vertisements that—

15 (i) raise awareness of community
 16 events to address social isolation; or

17 (ii) promote State, local, or regional
 18 mental health care resources that are ap-
 19 proved by the Substance Abuse and Mental
 20 Health Services Administration that miti-
 21 gate—

22 (I) self-harm, suicide, eating dis-
 23 orders, substance abuse, and other
 24 matters that pose a risk to physical
 25 and mental health;

1 (II) patterns of addiction-like be-
2 haviors; or

3 (III) social isolation; and

4 (C) is relevant and accessible to targeted
5 audiences.

6 (3) COVERED DIGITAL ADVERTISING PLAT-
7 FORM.—The term “covered digital advertising plat-
8 form” means a social media platform, search engine,
9 or other public-facing website, online service, or ap-
10 plication that—

11 (A) sells digital advertising space; and

12 (B) has more than 100,000,000 unique
13 monthly users.

14 (d) RELATIONSHIP TO OTHER LAWS.—Nothing in
15 this Act shall be construed to supersede any applica-
16 ble privacy or data security laws.

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