

107TH CONGRESS
1ST SESSION

H. R. 232

To amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to authorize the Federal Trade Commission to issue new rules regulating telemarketing firms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2001

Mr. KING (for himself, Mr. OXLEY, Mr. LATOURETTE, Mr. HOLDEN, Mr. KLECZKA, Mr. GILCHREST, Mr. HORN, Mrs. THURMAN, Mrs. MCCARTY of New York, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Telemarketing and Consumer Fraud and Abuse Prevention Act to authorize the Federal Trade Commission to issue new rules regulating telemarketing firms, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telemarketing Victims
5 Protection Act”.

1 **SEC. 2. FEDERAL TRADE COMMISSION RULES.**

2 Section 3(a) of the Telemarketing and Consumer
3 Fraud and Abuse Prevention Act (15 U.S.C. 6102) is
4 amended by adding at the end the following:

5 “(4) The Commission shall include in such
6 rules respecting other abusive telemarketing acts or
7 practices—

8 “(A) a requirement that telemarketers
9 shall notify consumers who are called that they
10 have the right to be placed on either the Direct
11 Marketing Association’s do-not-call list or the
12 appropriate State do-not-call list and if a con-
13 sumer elects to be place on such a list the tele-
14 marketer will notify, within a reasonable time,
15 the Association or State as appropriate;

16 “(B) a requirement that telemarketers
17 shall obtain and reconcile on a regular basis the
18 Direct Marketing Association’s do-not-call list
19 or the appropriate State list;

20 “(C) a requirement that telemarketers
21 shall not make any calls during the hours of
22 5:00 PM to 7:00 PM; and

23 “(D) a requirement that telemarketers
24 may not, in making a telemarketing telephone
25 call, block the identity of the telephone from

1 which they are making the call to evade devices
2 designed to identify callers.”.

3 **SEC. 3. STUDY.**

4 The Federal Trade Commission shall conduct a study
5 of the violations of the Telemarketing and Consumer
6 Fraud and Abuse Prevention Act by telemarketers espe-
7 cially of repeated violations by a single telemarketer and
8 of the provisions for penalizing telemarketers for such vio-
9 lations, including new provisions which would allow appro-
10 priate Federal action against telemarketers. The Commis-
11 sion shall complete the study within one year of the date
12 of enactment of this Act and report its findings to the
13 Congress.

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