

116TH CONGRESS
1ST SESSION

H. R. 1304

To require the Federal Trade Commission, in consultation with the Federal Communications Commission, to establish a robocaller bounty pilot program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2019

Mr. GRAVES of Louisiana (for himself and Mr. CRIST) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Federal Trade Commission, in consultation with the Federal Communications Commission, to establish a robocaller bounty pilot program, 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. ROBOCALLER BOUNTY PILOT PROGRAM.**

4 (a) ESTABLISHMENT.—Not later than 180 days after
5 the date of the enactment of this Act, the Federal Trade
6 Commission, in consultation with the Federal Communica-
7 tions Commission, shall—

1 (1) establish a robocaller bounty pilot program
2 to reduce covered calls by egregious violators; and

3 (2) issue guidance about what constitutes an
4 egregious violation under paragraph (1).

5 (b) REQUIREMENTS.—In establishing the pilot pro-
6 gram under subsection (a), the Federal Trade Commis-
7 sion, in consultation with the Federal Communications
8 Commission, shall—

9 (1) provide monetary compensation for the
10 identification and prevention of covered calls;

11 (2) develop an expeditious process for partici-
12 pants in the pilot program to submit an expedited
13 background check, as determined by the Federal
14 Trade Commission, in consultation with the Federal
15 Communications Commission, and approval for par-
16 ticipation into the program;

17 (3) develop a fee sharing structure for partici-
18 pants to share in funds recovered from violations re-
19 lated to a covered call in addition to payment for
20 participation in program;

21 (4) award competitive contracts as necessary to
22 manage the pilot program and for addressing the
23 vulnerabilities identified as a consequence of the
24 pilot program; and

1 (5) solicit interested persons, including the pri-
2 vate sector, about the structure of the pilot program
3 and constructive feedback.

4 (c) REPORT.—Not later than 90 days after the date
5 on which the pilot program is complete, the Federal Trade
6 Commission, in consultation with the Federal Communica-
7 tions Commission, shall submit to the Committees on En-
8 ergy and Commerce and the Judiciary of the House of
9 Representatives and the Committees on Commerce,
10 Science, and Transportation and the Judiciary of the Sen-
11 ate a report that includes the following:

12 (1) The number of individuals and companies
13 that were approved to participate in the pilot pro-
14 gram and received compensation.

15 (2) The number of covered calls identified,
16 prosecuted, prevented, and intercepted.

17 (3) Changes needed in the law to address the
18 enforcement and apprehension related to covered
19 calls.

20 (4) The number of prosecutions that resulted
21 because of the program.

22 (5) Recommendations for overseas identification
23 and apprehension of individuals making covered
24 calls.

1 (6) The obstacles encountered with appre-
2 hending individuals making covered calls and any
3 other lessons learned from the pilot program.

4 (7) The payout per participant under the pro-
5 gram.

6 (d) DEFINITIONS.—

7 (1) COVERED CALL.—The term “covered call”
8 means a call that is in violation of section 227 of the
9 Communications Act of 1947 (47 U.S.C. 227) or the
10 do-not-call registry established under section
11 3(a)(3)(A) of the Telemarketing and Consumer
12 Fraud and Abuse Prevention Act (15 U.S.C.
13 6102(a)(3)(A)).

14 (2) EGREGIOUS VIOLATOR.—The term “egre-
15 gious violator”—

16 (A) means a person that makes (or causes
17 to be made) covered calls; and

18 (B) does not include a person that has reg-
19 istered with the Federal Trade Commission and
20 demonstrated to the Federal Trade Commission
21 that adequate procedures are in place to pre-
22 vent making covered calls.

23 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
24 tion may be construed as conveying to any participant in

- 1 the pilot program any new right to seek discovery or issue
- 2 subpoenas to communications service providers.

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