

Union Calendar No. 49

119TH CONGRESS
1ST SESSION

H. R. 859

[Report No. 119–72]

To require the disclosure of a camera or recording capability in certain
internet-connected devices.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2025

Mr. FULCHER (for himself and Mr. MOULTON) introduced the following bill;
which was referred to the Committee on Energy and Commerce

APRIL 24, 2025

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To require the disclosure of a camera or recording capability
in certain internet-connected devices.

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 “Informing Consumers
5 about Smart Devices Act”.

6 **SEC. 2. REQUIRED DISCLOSURE OF A CAMERA OR RECORD-**
7 **ING CAPABILITY IN CERTAIN INTERNET-CON-**
8 **NECTED DEVICES.**

9 Each manufacturer of a covered device shall disclose,
10 clearly and conspicuously and prior to purchase, whether
11 the covered device manufactured by the manufacturer con-
12 tains a camera or microphone as a component of the cov-
13 ered device.

14 **SEC. 3. ENFORCEMENT BY THE FEDERAL TRADE COMMIS-**
15 **SION.**

16 (a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—
17 A violation of section 2 shall be treated as a violation of
18 a rule defining an unfair or deceptive act or practice pre-
19 scribed under section 18(a)(1)(B) of the Federal Trade
20 Commission Act (15 U.S.C. 57a(a)(1)(B)).

21 (b) ACTIONS BY THE COMMISSION.—

22 (1) IN GENERAL.—The Federal Trade Commis-
23 sion (in this Act referred to as the “Commission”)
24 shall enforce this Act in the same manner, by the
25 same means, and with the same jurisdiction, powers,

1 and duties as though all applicable terms and provi-
2 sions of the Federal Trade Commission Act (15
3 U.S.C. 41 et seq.) were incorporated into and made
4 a part of this Act.

5 (2) PENALTIES AND PRIVILEGES.—Any person
6 who violates this Act or a regulation promulgated
7 under this Act shall be subject to the penalties and
8 entitled to the privileges and immunities provided in
9 the Federal Trade Commission Act (15 U.S.C. 41 et
10 seq.).

11 (3) SAVINGS CLAUSE.—Nothing in this Act
12 shall be construed to limit the authority of the Com-
13 mission under any other provision of law.

14 (c) COMMISSION GUIDANCE.—Not later than 180
15 days after the date of enactment of this Act, the Commis-
16 sion, through outreach to relevant private entities, shall
17 issue guidance to assist manufacturers in complying with
18 the requirements of this Act, including guidance about
19 best practices for making the disclosure required by sec-
20 tion 2 as clear and conspicuous and age appropriate as
21 practicable and about best practices for the use of a pic-
22 torial (as defined in section 2(a) of the Consumer Review
23 Fairness Act of 2016 (15 U.S.C. 45b(a))) visual represen-
24 tation of the information to be disclosed.

1 (d) TAILORED GUIDANCE.—A manufacturer of a cov-
2 ered device may petition the Commission for tailored guid-
3 ance as to how to meet the requirements of section 2 con-
4 sistent with existing rules of practice or any successor
5 rules.

6 (e) LIMITATION ON COMMISSION GUIDANCE.—No
7 guidance issued by the Commission with respect to this
8 Act shall confer any rights on any person, State, or local-
9 ity, nor shall operate to bind the Commission or any per-
10 son to the approach recommended in such guidance. In
11 any enforcement action brought pursuant to this Act, the
12 Commission shall allege a specific violation of a provision
13 of this Act. The Commission may not base an enforcement
14 action on, or execute a consent order based on, practices
15 that are alleged to be inconsistent with any such guide-
16 lines, unless the practices allegedly violate section 2.

17 **SEC. 4. DEFINITION OF COVERED DEVICE.**

18 As used in this Act, the term “covered device”—

19 (1) means a consumer product, as defined by
20 section 3(a) of the Consumer Product Safety Act
21 (15 U.S.C. 2052(a)) that is capable of connecting to
22 the internet, a component of which is a camera or
23 microphone; and

24 (2) does not include—

1 (A) a telephone (including a mobile phone),
2 a laptop, tablet, or any device that a consumer
3 would reasonably expect to have a microphone
4 or camera;

5 (B) any device that is specifically marketed
6 as a camera, telecommunications device, or
7 microphone; or

8 (C) any device or apparatus described in
9 sections 255, 716, and 718, and subsections
10 (aa) and (bb) of section 303 of the Communica-
11 tions Act of 1934 (47 U.S.C. 255; 617; 619;
12 and 303(aa) and (bb)), and any regulations
13 promulgated thereunder.

14 **SEC. 5. EFFECTIVE DATE.**

15 This Act shall apply to all covered devices manufac-
16 tured after the date that is 180 days after the date on
17 which guidance is issued by the Commission under section
18 3(c), and shall not apply to covered devices manufactured
19 or sold before such date, or otherwise introduced into
20 interstate commerce before such date.

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