

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.

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## 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

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## 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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