

114TH CONGRESS
1ST SESSION

H. R. 3378

To direct the Federal Trade Commission to prescribe rules prohibiting
deceptive advertising of abortion services.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. BONAMICI, Ms. SLAUGHTER, Ms. FRANKEL of Florida, Mr. GRIJALVA, Mrs. DAVIS of California, Mr. PRICE of North Carolina, Ms. SPEIER, Mr. DEUTCH, Ms. NORTON, Mr. RANGEL, Ms. LEE, Mr. SEAN PATRICK MALONEY of New York, and Ms. MOORE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Trade Commission to prescribe rules
prohibiting deceptive advertising of abortion services.

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 “Stop Deceptive Adver-
5 tising for Women’s Services Act”.

1 **SEC. 2. PROHIBITION OF DECEPTIVE ADVERTISING OF**
2 **ABORTION SERVICES.**

3 (a) CONDUCT PROHIBITED.—Not later than 180
4 days after the date of enactment of this Act, the Federal
5 Trade Commission shall, in accordance with section 553
6 of title 5, United States Code, promulgate rules to pro-
7 hibit, as an unfair and deceptive act or practice, any per-
8 son from advertising with the intent to deceptively create
9 the impression that—

10 (1) such person is a provider of abortion serv-
11 ices if such person does not provide abortion serv-
12 ices; and

13 (2) such person is not a provider of abortion
14 services if such person does provide abortion serv-
15 ices.

16 (b) ENFORCEMENT.—A violation of a rule promul-
17 gated under subsection (a) shall be treated as a violation
18 of a rule defining an unfair or deceptive act or practice
19 under section 18(a)(1)(B) of the Federal Trade Commis-
20 sion Act (15 U.S.C. 57a(a)(1)(B)). The Commission shall
21 enforce such rules in the same manner, by the same
22 means, and with the same jurisdiction, powers, and duties
23 as though all applicable terms and provisions of the Fed-
24 eral Trade Commission Act were incorporated into and
25 made a part of this Act. Any person who violates this Act
26 shall be subject to the penalties and entitled to the privi-

1 leges and immunities provided in the Federal Trade Com-
2 mission Act (15 U.S.C. 41 et seq.).

3 (c) NONPROFIT ORGANIZATIONS.—The Federal
4 Trade Commission shall enforce this Act with respect to
5 an organization that is not organized to carry on business
6 for its own profit or that of its members as if such organi-
7 zation were a person over which the Commission has au-
8 thority pursuant to section 5(a)(2) of the Federal Trade
9 Commission Act (15 U.S.C. 45(a)(2)).

10 **SEC. 3. DEFINITIONS.**

11 For purposes of the rules prescribed under section
12 2, the following definitions apply:

13 (1) ADVERTISE.—The term “advertise” means
14 offering of goods or services to the public, regardless
15 of whether such goods or services are offered for
16 payment or result in a profit.

17 (2) ABORTION SERVICES.—The term “abortion
18 services” means providing surgical and non-surgical
19 procedures to terminate a pregnancy, or providing
20 referrals for such procedures.

21 (3) PERSON.—The term “person” has the
22 meaning given such term in section 551(2) of title
23 5, United States Code.

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