

115TH CONGRESS  
2D SESSION

# H. R. 7370

To direct the Attorney General to convene an interagency working group to study the enforcement of section 227(b) of the Communications Act of 1934.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2018

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

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## A BILL

To direct the Attorney General to convene an interagency working group to study the enforcement of section 227(b) of the Communications Act of 1934.

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 “Spam Calls Task Force  
5 Act of 2018”.

6 **SEC. 2. INTERAGENCY WORKING GROUP.**

7 (a) IN GENERAL.—The Attorney General, in con-  
8 sultation with the Federal Communications Commission,  
9 shall convene an interagency working group to study the

1 enforcement of section 227(b) of the Communications Act  
2 of 1934 (47 U.S.C. 227(b)).

3 (b) DUTIES.—In carrying out the study under sub-  
4 section (a), the interagency working group shall—

5 (1) determine whether, and if so how, any Fed-  
6 eral law, including regulations, policies, and prac-  
7 tices, or budgetary or jurisdictional constraints in-  
8 hibit the enforcement of such section;

9 (2) identify existing and potential Federal poli-  
10 cies and programs that encourage and improve co-  
11 ordination among Federal departments and agencies  
12 and States, and between States, in the enforcement  
13 and prevention of the violation of such section;

14 (3) identify existing and potential international  
15 policies and programs that encourage and improve  
16 coordination between countries in the enforcement  
17 and prevention of the violation of such section (and  
18 laws of foreign countries prohibiting similar con-  
19 duct); and

20 (4) consider—

21 (A) the benefit and potential sources of ad-  
22 ditional resources for the Federal enforcement  
23 and prevention of the violation of such section;

24 (B) whether memoranda of understanding  
25 regarding the enforcement and prevention of

1 the violation of such section should be estab-  
2 lished between—

3 (i) the States;

4 (ii) the States and the Federal Gov-  
5 ernment; and

6 (iii) the Federal Government and for-  
7 eign governments;

8 (C) whether a process should be estab-  
9 lished to allow States to request Federal sub-  
10 poenas from the Federal Communications Com-  
11 mission with respect to the enforcement of such  
12 section;

13 (D) whether increased criminal penalties  
14 for the violation of such section (including in-  
15 creasing the amount of fines and increasing the  
16 maximum term of imprisonment that may be  
17 imposed to a period greater than 2 years) are  
18 appropriate;

19 (E) whether regulation of any entity that  
20 enters into a business arrangement with a car-  
21 rier for the specific purpose of carrying, rout-  
22 ing, or transmitting a call that constitutes a  
23 violation of such section would assist in the suc-  
24 cessful enforcement and prevention of the viola-  
25 tion of such section; and

1 (F) the extent to which the prosecution of  
2 certain violations of such section (which result  
3 in economic, physical, or emotional harm) pur-  
4 suant to any Department of Justice policy may  
5 inhibit or otherwise interfere with the prosecu-  
6 tion of other violations of such section.

7 (c) MEMBERS.—The interagency working group shall  
8 be composed of such representatives of Federal depart-  
9 ments and agencies as the Attorney General considers ap-  
10 propriate, which may include—

- 11 (1) the Department of Commerce;
- 12 (2) the Department of State;
- 13 (3) the Department of Homeland Security;
- 14 (4) the Federal Communications Commission;
- 15 (5) the Federal Trade Commission; and
- 16 (6) the Bureau of Consumer Financial Protec-  
17 tion.

18 (d) NON-FEDERAL STAKEHOLDERS.—In carrying  
19 out the study under subsection (a), the interagency work-  
20 ing group shall consult with such non-Federal stake-  
21 holders as the Attorney General determines have relevant  
22 expertise, including the National Association of Attorneys  
23 General.

24 (e) REPORT TO CONGRESS.—Not later than 9  
25 months after the date of the enactment of this Act, the

1 interagency working group shall submit to the Committee  
2 on Commerce, Science, and Transportation and the Com-  
3 mittee on the Judiciary of the Senate and the Committee  
4 on Energy and Commerce and the Committee on the Judi-  
5 ciary of the House of Representatives a report on the find-  
6 ings of the study under subsection (a), including—

7           (1) any recommendations regarding the enforce-  
8           ment and prevention of the violation of such section;  
9           and

10           (2) a description of what process, if any, rel-  
11           evant Federal departments and agencies have made  
12           in implementing the recommendations under para-  
13           graph (1).

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