

115TH CONGRESS
2D SESSION

S. 3668

To amend the Federal Trade Commission Act to eliminate the common carrier exemption for telecommunications companies.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2018

Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Federal Trade Commission Act to eliminate the common carrier exemption for telecommunications companies.

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 “Robocall Elimination
5 At Last Protecting Every American Consumer’s Ears Act
6 of 2018” or the “REAL PEACE Act of 2018”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1 (1) illegal robocalls and spam calls are a grow-
2 ing annoyance and problem for the people of the
3 United States; and

4 (2) exemptions within the Federal Trade Com-
5 mission Act (15 U.S.C. 41 et seq.) limit the enforce-
6 ment capabilities of the Federal Trade Commission
7 with respect to illegal robocalling and spam calling.

8 **SEC. 3. ELIMINATING THE COMMON CARRIER EXEMPTION**
9 **FOR TELECOMMUNICATIONS COMPANIES.**

10 (a) IN GENERAL.—Section 4 of the Federal Trade
11 Commission Act (15 U.S.C. 44) is amended by striking
12 “the Act entitled ‘An Act to regulate commerce,’ approved
13 February 14, 1887, and all Acts amendatory thereof and
14 supplementary thereto and the Communications Act of
15 1934” and inserting “subtitle IV of title 49, United States
16 Code,”.

17 (b) RULE OF CONSTRUCTION.—Nothing in this Act,
18 or an amendment made by this Act, may be construed to
19 displace any authority of the Federal Communications
20 Commission or the States to take action to protect net
21 neutrality or otherwise protect consumers and competi-
22 tion, including in the provision of broadband services.

○