

ANTITRUST AND CONSUMER PROTECTION LEGISLATION
109TH CONGRESS
(As of March 28, 2005)

Bills	Key Sponsors	Total Sponsors	Committee/ Subcommittee Referrals	Committee Action	Floor Action	Status	Explanation of Bill	Antitrust Section/ Administration Positions
S 443	Sen. Mike DeWine (R-OH)	2	Senate Judiciary Committee			Pending in committee	1) Improves the investigation of criminal antitrust offenses. 2) Authorizes interception of wire, oral, and electronic communications.	
HR 1201	Rep. Rick Boucher (D-VA)	2	House Judiciary Committee			Pending in committee	1) Amends the Federal Trade Commission Act to provide that the advertising or sale of a mislabeled copy-protected music disc is an unfair method of competition and an unfair and deceptive act or practice, and for other purposes.	
HR 532	Rep. John Conyers (D-MI)	3	House Judiciary Committee			Pending in committee	1) Modifies the application of the antitrust laws to permit collective development and implementation of a standard contract form for playwrights for the licensing of their plays.	

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S 256	Sen. Chuck Grassley (R-IA)	12	Senate Judiciary Committee	<p>2/10/05: Committee hearings held</p> <p>2/17/05: Committee markup held</p> <p>2/17/05: Reported out of Committee</p>	3/10/05: Passed by Senate (74-25)	Awaiting consideration of HR 685 (See Below)	<p>1) Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.</p> <p>2) Creates a “flexible means test” to make it more difficult for higher income individuals to completely eliminate debt by filing for bankruptcy.</p> <p>3) Amends the Truth in Lending Act to require: (1) specified minimum payment warnings applicable to an open end credit plan upon which finance charges are accruing; and (2) disclosure of a toll-free number to call for an estimate of the time required to repay the balance making only minimum payments.</p>	The Administration supports S 256 as reported by the Senate Judiciary Committee.
HR 685	Rep. James Sensenbrenner (R-WI)	88	<p>House Judiciary Committee</p> <p>House Financial Services Committee</p>			Pending in both committees for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.	<p>4) Requires FTC to establish a toll-free number for the same purpose in the case of a creditor with respect to which the FTC is enforcing compliance with such Act.</p> <p>5) Directs the Board of Governors of the Federal Reserve System (the Board) to promulgate implementing regulations.</p>	

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S 555	Sen. Mike DeWine (R-OH) Sen. Herb Kohl (D-WI)	13	Senate Judiciary Committee			Pending in committee	1) Amends the Sherman Act to make oil-producing and exporting cartels illegal.	
HR 695	Rep. John Conyers (D-MI)	1	House Judiciary Committee			Pending in committee		
S 5	Sen. Chuck Grassley (R-IA)	34	Senate Judiciary Committee	2/3/05: Reported by committee without amendment. (S. Rept. 109-002)	2/10/05: Passed by Senate (72-26) 2/17/05: Passed by House (279-149)	2/18/05: Enacted as Public Law No. 109-002	1) Class Action Fairness Act of 2005. 2) Amends procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants.	

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HR 29	Rep. Mary Bono (R-CA)	61	House Energy & Commerce/ Subcommittee on Commerce, Trade, and Consumer Protection	1/26/05: Committee hearings held 2/4/05: Subcommittee markup held 2/16/05: Committee markup held 3/9/05: Committee markup held 3/9/05: Ordered to be reported		Awaiting to be reported by committee	1) Securely Protect Yourself Against Cyber Trespass Act (SPY Act). 2) Makes it unlawful for any person who is not the owner or authorized user of a protected computer to engage in deceptive acts or practices in connection with specified conduct. 3) Directs the FTC to report to Congress regarding the use of computer tracking cookies in the delivery or display of advertising to computer owners and users.	
HR 744	Rep. Bob Goodlatte (R-VA)	14	House Judiciary Committee			Pending in committee	1) Internet Spyware (I-SPY) Prevention Act of 2005. 2) Makes it unlawful for any person to intentionally access (or to exceed access of) a protected computer without authorization to obtain, transmit personal information or impair the security of the protected computer. 3) Authorizes \$10,000,000 for each of FY 2006-09 to Attorney General for prosecutions needed to discourage use of spyware and phishing.	

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HR 1080	Rep. Edward Markey (D-MA)	9	House Energy & Commerce/ Subcommittee on Commerce Trade & Consumer Protection			Pending in subcommittee	1) Information Protection and Security Act. 2) Directs the FTC to promulgate regulation governing the conduct of information brokers and the protection of personally identifiable information held by such brokers. 3) Requires violations of such regulations to be treated as unfair or deceptive acts or practices under the FTC Act.	
S 500	Sen. Bill Nelson (D-FL)	1	Senate Commerce, Science & Transportation Committee			Pending in committee	4) Authorizes States to bring civil actions on behalf of State residents in Federal District court to (1) enjoin such acts or practices (2) enforce compliance with FTC regulations, or (3) obtain appropriate relief. 5) Establishes a private right of action for individuals injured by violations of regulations promulgated under this Act.	
S 29	Sen. Dianne Feinstein (D-CA)	5	Senate Judiciary Committee			Pending in committee	1) Social Security Number Prevention Act. 2) Amends the Federal criminal code to prohibit the display, sale, or purchase of social security numbers without the expressed consent of the individual. 3) Prohibits a commercial entity from requiring an individual to provide a social security number when purchasing a good or service.	

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S 115	Sen. Dianne Feinstein (D-CA)	1	Senate Judiciary Committee			Pending in committee	<p>1) Notification of Risk to Personal Data Act.</p> <p>2) Requires federal agencies, and persons engaged in interstate commerce, in possession of electronic data containing personal information, to disclose any unauthorized acquisition of such information.</p> <p>3) Notifies any U.S. resident whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person.</p> <p>4) Provides civil penalties, rights and remedies in connections with violations, as well as enforcement by State attorneys general.</p>	
HR 1263	Rep. Cliff Stearns (R-FL)	2	House Energy and Commerce House International Relations			Pending in committee	<p>1) Consumer Privacy Protection Act of 2005.</p> <p>2) Requires data collection agencies to establish a privacy policy with respect to the collection, sale, disclosure for consideration, dissemination, use and security of the personally identifiable information of consumers.</p> <p>3) FTC may disseminate regulations and interpretive rules (as allowed by Sect. 18 of the FTC Act) to assist compliance with these practices.</p> <p>4) Provides that the FTC will take action, if necessary, to permit consumers that have a reasonable belief that they are a victim of identify theft to complete an "Identity Theft Affidavit."</p>	

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S 472	Sen. Patrick Leahy (D-VT)	1	Senate Judiciary Committee			Pending in committee	1) Anti-phishing Act of 2005. 2) Criminalizes Internet scams involving fraudulently obtaining personal information, commonly known as phishing.	
HR 1099	Rep. Darlene Hooley (D-OR)	2	House Judiciary Committee			Pending in committee		
S 3	Sen. Judd Gregg (R-NH)	8	Senate Finance Committee			Pending in committee	1) Strengthens and protects America in the war on terror. 2) Provides program revisions that would address some of the concerns raised by companies, including their assertion that the existing law does not offer enough protection against liability they could incur for health problems that might arise from use of the vaccines.	
HR 22	Rep. John McHugh (R-NY)	43	House Government Reform Committee			Pending in committee	1) Reforms the postal laws of the United States. 2) Restructures the Postal Service to create a flexible rate-setting system, insert a strong regulatory board and establish fair-competition rules.	
HR 1079	Rep. Roscoe Bartlett (R-MD)	58	House Energy & Commerce/ Subcommittee on Health			Pending in subcommittee	1) RU-486 Suspension and Review Act of 2005. 2) Provides that the approved application under the Federal Food, Drug, and Cosmetic Act for RU-486 is deemed to have been withdrawn. 3) Provides for the review by the Comptroller General of the process by which the FDA approved such drug.	

This chart has been prepared by:
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