

Calendar No. 769

107TH CONGRESS
2D SESSION

S. 2946

[Report No. 107-348]

To reauthorize the Federal Trade Commission for fiscal years 2003, 2004, and 2005, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2002

Mr. DORGAN (for himself and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 19, 2002

Reported by Mr. HOLLINGS, without amendment

A BILL

To reauthorize the Federal Trade Commission for fiscal years 2003, 2004, and 2005, 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. SHORT TITLE.**
- 4 This Act may be cited as the “Federal Trade Com-
- 5 mission Reauthorization Act of 2002”.

1 **SEC. 2. REAUTHORIZATION.**

2 The text of section 25 of the Federal Trade Commis-
3 sion Act (15 U.S.C. 57c) is amended to read as follows:

4 “There are authorized to be appropriated to carry out
5 the functions, powers, and duties of the Commission not
6 to exceed \$179,271,000 for fiscal year 2003,
7 \$207,691,000 for fiscal year 2004, and \$224,493,000 for
8 fiscal year 2005.”.

9 **SEC. 3. COMMON CARRIERS REGULATED BY THE COMMU-**

10 **NICATIONS ACT OF 1934.**

11 Section 4 of the Federal Trade Commission Act (15
12 U.S.C. 44) is amended by striking the definition of the
13 term “Acts to regulate commerce” and inserting the fol-
14 lowing:

15 “‘Acts to regulate commerce’ means subtitle IV of
16 title 49, United States Code, and all Acts amendatory
17 thereof and supplementary thereto.”.

18 **SEC. 4. AUTHORITY TO ACCEPT REIMBURSEMENTS, GIFTS,**

19 **AND VOLUNTARY AND UNCOMPENSATED**
20 **SERVICES.**

21 The Federal Trade Commission Act (15 U.S.C. 41
22 et seq.) is amended—

23 (1) by redesignating section 26 as section 28;
24 and

25 (2) by inserting after section 25 the following:

1 **“SEC. 26. REIMBURSEMENT OF EXPENSES.**

2 “The Commission may accept payment or reimbursement,
3 in cash or in kind, from a domestic or foreign law
4 enforcement authority, or payment or reimbursement
5 made on behalf of such authority, for expenses incurred
6 by the Commission, its members, or employees in carrying
7 out any activity pursuant to a statute administered by the
8 Commission without regard to any other provision of law.
9 Any such payments or reimbursements shall be considered
10 a reimbursement to the appropriated funds of the Com-
11 mission.

12 **“SEC. 27. GIFTS AND VOLUNTARY AND UNCOMPENSATED**13 **SERVICES.**

14 “(a) IN GENERAL.—In furtherance of its functions
15 the Commission may accept, hold, administer, and use un-
16 conditional gifts, donations, and bequests of real, personal,
17 and other property and, notwithstanding section 1342 of
18 title 31, United States Code, accept voluntary and uncom-
19 pensated services.

20 “(b) LIMITATIONS.—

21 “(1) CONFLICTS OF INTEREST.—
22 Notwithstanding subsection (a), the Commission
23 may not accept, hold, administer, or use a gift, do-
24 nation, or bequest if the acceptance, holding, admin-
25 istration, or use would create a conflict of interest
26 or the appearance of a conflict of interest.

1 “(2) VOLUNTARY SERVICES.—A person who
2 provides voluntary and uncompensated service under
3 subsection (a) shall not be considered a Federal em-
4 ployee for any purpose other than for purposes of
5 chapter 81 of title 5, United States Code, (relating
6 to compensation for injury) and section 2671
7 through 2680 of title 28, United States Code,
8 (relating to tort claims).”.

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