

110TH CONGRESS
2D SESSION

S. 2793

To direct the Federal Trade Commission to prescribe a rule prohibiting deceptive advertising of abortion services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, MARCH 13), 2008

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

A BILL

To direct the Federal Trade Commission to prescribe a rule prohibiting deceptive advertising of abortion services, 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 “Stop Deceptive Adver-
5 tising for Women’s Services Act”.

6 **SEC. 2. PROHIBITION OF DECEPTIVE ADVERTISING OF** 7 **ABORTION SERVICES.**

8 (a) CONDUCT PROHIBITED.—Not later than 180
9 days after the date of the enactment of this Act, the Fed-

1 eral Trade Commission shall promulgate rules to prohibit,
 2 as an unfair and deceptive act or practice, any person
 3 from advertising with the intent to deceptively create the
 4 impression that such person is a provider of abortion serv-
 5 ices if such person does not provide abortion services.

6 (b) ENFORCEMENT.—The Federal Trade Commis-
 7 sion shall enforce the rules required under subsection (a)
 8 as if a violation of such rules were a violation of section
 9 5(a)(1) of the Federal Trade Commission Act (15 U.S.C.
 10 45(a)(1)). The Commission shall enforce such rules in the
 11 same manner and by the same means, powers, and duties
 12 as though all applicable terms and provisions of the Fed-
 13 eral Trade Commission Act were incorporated into and
 14 made a part of this Act.

15 (c) DEFINITIONS.—In this section:

16 (1) ADVERTISE.—The term “advertise” means
 17 the offering of goods or services to the public, re-
 18 gardless of whether such goods or services are of-
 19 fered for payment or result in a profit.

20 (2) ABORTION SERVICES.—The term “abortion
 21 services” means the provision of surgical and non-
 22 surgical procedures to terminate a pregnancy, or the
 23 provision of referrals for such procedures.

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

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