

113TH CONGRESS  
2D SESSION

# S. 2957

To limit the disturbance to American families caused by electioneering phone calls by expanding the National Do Not Call Registry to include Super PACs and other third-party political groups, to prohibit robo-calls to Americans who have listed their telephone numbers on the Registry, and to prohibit push-polling.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2014

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To limit the disturbance to American families caused by electioneering phone calls by expanding the National Do Not Call Registry to include Super PACs and other third-party political groups, to prohibit robo-calls to Americans who have listed their telephone numbers on the Registry, and to prohibit push-polling.

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 “Do Not Disturb Act  
5       of 2014”.

1 **SEC. 2. PROHIBITION OF UNSOLICITED CALLS FROM**  
2 **SUPER PACS TO INDIVIDUALS LISTED ON**  
3 **THE NATIONAL DO NOT CALL REGISTRY.**

4 Not later than 180 days after the date of the enact-  
5 ment of this Act, the Federal Trade Commission shall  
6 issue a final rule, pursuant to its rulemaking authority  
7 under section 3 of the Telemarketing and Consumer  
8 Fraud and Abuse Prevention Act (15 U.S.C. 6102), that  
9 amends section 310.4(b)(1)(iii) of title 16, Code of Fed-  
10 eral Regulations, to include, in the list of persons subject  
11 to the prohibitions set forth in such section—

12 (1) political committees (as defined in section  
13 301 of the Federal Election Campaign Act of 1971  
14 (52 U.S.C. 30101)) that accept donations or con-  
15 tributions that do not comply with the contribution  
16 limits or source prohibitions under such Act (com-  
17 monly known as Super PACs); and

18 (2) social welfare organizations described in  
19 section 501(c)(4) of the Internal Revenue Code of  
20 1986 that are engaged in political activities.

21 **SEC. 3. PROHIBITION OF COMPUTER-DIALED RECORDED**  
22 **MESSAGES TO INDIVIDUALS LISTED ON THE**  
23 **NATIONAL DO NOT CALL REGISTRY.**

24 Section 3(a)(3) of the Telemarketing and Consumer  
25 Fraud and Abuse Prevention Act (15 U.S.C. 6102(a)(3))  
26 is amended—

1 (1) in subparagraph (A), by striking the comma  
 2 at the end and inserting a semicolon;

3 (2) in subparagraph (B), by striking the comma  
 4 at the end and inserting a semicolon;

5 (3) by redesignating subparagraphs (C) and  
 6 (D) as subparagraphs (E) and (F), respectively; and

7 (4) by inserting after subparagraph (B) the fol-  
 8 lowing:

9 “(C) a prohibition on computer-dialed tele-  
 10 phone calls with prerecorded messages (other  
 11 than calls made for emergency purposes or  
 12 made with the prior express consent of the  
 13 called party) to telephone numbers that are list-  
 14 ed on the National Do Not Call Registry;”.

15 **SEC. 4. PUSH-POLLING.**

16 (a) IN GENERAL.—Section 3(a)(3) of the Tele-  
 17 marketing and Consumer Fraud and Abuse Prevention  
 18 Act, as amended by section 3, is further amended by in-  
 19 serting after subparagraph (C), as added by section 3(4),  
 20 the following:

21 “(D) a prohibition on push-polling;”.

22 (b) PUSH-POLLING DEFINED.—Section 3 of the  
 23 Telemarketing and Consumer Fraud and Abuse Preven-  
 24 tion Act (15 U.S.C. 6102) is amended by adding at the  
 25 end the following:

1       “(f) DEFINED TERM.—As used in subsection (a)(3),  
2 the term ‘push-polling’ means a telephone call—

3               “(1) to a voter on behalf of, in support of, or  
4 in opposition to, any candidate for public office;

5               “(2) in which the caller asks questions related  
6 to opposing candidates for public office that state,  
7 imply, or convey information about the candidates  
8 character, status, or political stance or record; or

9               “(3) that is conducted in a manner that is like-  
10 ly to be construed by the voter to be a survey or poll  
11 to gather statistical data for entities or organiza-  
12 tions acting independent of any particular political  
13 party, candidate, or interest group.”.

14 **SEC. 5. RULEMAKING.**

15       Not later than 180 days after the date of the enact-  
16 ment of this Act, the Federal Trade Commission shall pre-  
17 scribe regulations to implement the amendments made by  
18 this Act.

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