

114TH CONGRESS
2D SESSION

H. R. 5315

To amend the Federal Trade Commission Act to require annual reports to Congress regarding the status of investigations of unfair or deceptive acts or practices, and of unfair methods of competition, in or affecting commerce.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2016

Mr. GUTHRIE (for himself, Mr. BURGESS, and Mrs. MIMI WALTERS of California) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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

A BILL

To amend the Federal Trade Commission Act to require annual reports to Congress regarding the status of investigations of unfair or deceptive acts or practices, and of unfair methods of competition, in or affecting commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Clarifying Legality and
3 Enforcement Action Reasoning Act of 2016” or the
4 “CLEAR Act of 2016”.

5 **SEC. 2. ANNUAL REPORTING ON THE STATUS OF INVES-**
6 **TIGATIONS.**

7 Section 5 of the Federal Trade Commission Act (15
8 U.S.C. 45) is amended by adding at the end the following
9 new subsection:

10 “(o) REPORT ON INVESTIGATIONS.—

11 “(1) IN GENERAL.—The Commission shall, on
12 an annual basis, submit a report to Congress on in-
13 vestigations with respect to unfair or deceptive acts
14 or practices, and with respect to unfair methods of
15 competition, in or affecting commerce (within the
16 meaning of subsection (a)(1)), detailing—

17 “(A) the number of such investigations the
18 Commission has commenced;

19 “(B) the number of such investigations the
20 Commission has closed with no official agency
21 action;

22 “(C) the disposition of such investigations,
23 if such investigations have concluded and re-
24 sulted in official agency action; and

25 “(D) for each such investigation that was
26 closed with no official agency action, a descrip-

1 tion sufficient to indicate the legal analysis sup-
2 porting the Commission’s decision not to con-
3 tinue such investigation, and the industry sec-
4 tors of the entities subject to each such inves-
5 tigation.

6 “(2) PRIVACY PROTECTION.—The description
7 required under paragraph (1)(D) shall not include
8 the identity of the person who is the subject of an
9 investigation or any other information that identifies
10 the person.”.

○