

HR 3143

International Consumer Protection Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Sep 23, 2003

Current Status: House Committee on International Relations Granted an extension for further consideration ending not

Latest Action: House Committee on International Relations Granted an extension for further consideration ending not later than Dec. 10, 2004. (Nov 22, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/3143>

Sponsor

Name: Rep. Stearns, Cliff [R-FL-6]

Party: Republican • **State:** FL • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Sep 23, 2003

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Sep 24, 2003
Financial Services Committee	House	Referred To	Jul 23, 2004
Foreign Affairs Committee	House	Referred To	Jul 23, 2004
Judiciary Committee	House	Reported By	Nov 16, 2004

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
108 HR 4996	Identical bill	Jul 22, 2004: Referred to the Subcommittee on Commerce, Trade and Consumer Protection.

International Consumer Protection Act of 2004 - (Sec. 2) Amends the Federal Trade Commission Act (FTCA) to define "foreign law enforcement agency" as: (1) any agency or judicial authority of a foreign government that is vested with law enforcement or investigative authority in civil, criminal, or administrative matters; and (2) any multinational or multiagency organization to the extent it is acting on behalf of such an entity.

(Sec. 3) Defines "unfair or deceptive acts or practices" to include acts or practices involving foreign commerce that: (1) cause or are likely to cause reasonably foreseeable injury within the United States; or (2) involve material conduct occurring within the United States.

Makes available to the Federal Trade Commission (FTC) with respect to such acts or practices in foreign commerce all remedies it uses in domestic commerce, including restitution to domestic or foreign victims.

(Sec. 4) Authorizes the FTC to reveal to foreign law enforcement agencies privileged or confidential business information obtained from any person during the course of its investigations upon prior certification that such information will be maintained in confidence and will be used only for official law enforcement purposes and subject to other restrictions.

Sets forth new FTC powers, including authority to: (1) provide investigative assistance for foreign law enforcement agencies; and (2) refer to the Department of Justice evidence of conduct that may constitute a violation of Federal criminal law. Requires the FTC to endeavor to ensure that material obtained from foreign law enforcement agencies may be used for investigating, prosecuting, or preventing violations of U.S. criminal laws. Authorizes appropriations.

(Sec. 5) Authorizes FTC attorneys to assist the Attorney General in foreign litigation on matters in which the FTC has an interest.

(Sec. 6) Authorizes the FTC to share documentary material, results of inspections of tangible things, written reports or answers to questions, and transcripts of oral testimony received pursuant to compulsory process or investigation with foreign law enforcement agencies upon prior certification of an appropriate foreign law enforcement agency official that such material will be maintained in confidence and used only for official law enforcement purposes, if: (1) the foreign law enforcement agency has set forth a bona fide legal basis for its authority to maintain confidentiality; (2) the materials are to be used to investigate, or to engage in enforcement proceedings related to specified laws; (3) the appropriate Federal banking agency or the National Credit Union Administration has given prior approval (if requested in connection with possible violations of banking, savings and loan, or Federal credit union laws); and (4) the foreign law enforcement agency is not from a country determined to have repeatedly provided support for acts of international terrorism.

(Sec. 7) Applies to the FTC the procedures for delay of notification or prohibition of disclosure under the Right to Financial Privacy Act (RFPA) and the Electronic Communications Privacy Act where a court or the FTC finds that notification may cause an adverse result. Authorizes the FTC, where neither notification nor delayed notification are required, to apply ex parte for a court order prohibiting the recipient of compulsory process issued by the FTC from disclosing to any other person the existence of such process.

Authorizes: (1) all judicial proceedings initiated by the FTC under RFPA or this section to be brought in the U.S. District Court for the District of Columbia or other appropriate U.S. District Court; and (2) all ex parte applications by the FTC under this section relating to a single investigation to be brought in a single proceeding.

Requires all proceedings under this section, upon application by the FTC, to be held in camera and the records sealed.

(Sec. 8) Sets forth guidelines for the protection of specified entities who volunteer information, including consumer complaints, to the FTC.

(Sec. 9) Permits the temporary exchange of staff between the FTC and foreign government agencies in order to facilitate implementation of this Act.

(Sec. 10) Amends RFPA to permit the FTC to exchange information with specified financial regulators.

(Sec. 11) States that the authority provided by this Act, FTCA, and RFPA is in addition to any other authority vested in the FTC or other officers of the United States.

(Sec. 12) Requires the FTC to report to Congress on its use of and experience with the authority granted by this Act.

Actions Timeline

- **Nov 22, 2004:** House Committee on Financial Services Granted an extension for further consideration ending not later than Dec. 10, 2004.
- **Nov 22, 2004:** House Committee on International Relations Granted an extension for further consideration ending not later than Dec. 10, 2004.
- **Nov 19, 2004:** House Committee on Financial Services Granted an extension for further consideration ending not later than Nov. 22, 2004.
- **Nov 19, 2004:** House Committee on International Relations Granted an extension for further consideration ending not later than Nov. 22, 2004.
- **Nov 16, 2004:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-635, Part II.
- **Oct 1, 2004:** House Committee on Financial Services Granted an extension for further consideration ending not later than Nov. 19, 2004.
- **Oct 1, 2004:** House Committee on International Relations Granted an extension for further consideration ending not later than Nov. 19, 2004.
- **Oct 1, 2004:** House Committee on Judiciary Granted an extension for further consideration ending not later than Nov. 19, 2004.
- **Sep 30, 2004:** Committee Consideration and Mark-up Session Held.
- **Sep 30, 2004:** Ordered to be Reported (Amended) by Voice Vote.
- **Jul 22, 2004:** Reported by the Committee on 108-635, Part I.
- **Jul 22, 2004:** Referred jointly and sequentially to the House Committee on Financial Services for a period ending not later than Oct. 1, 2004 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(g), rule X.
- **Jul 22, 2004:** Referred jointly and sequentially to the House Committee on International Relations for a period ending not later than Oct. 1, 2004 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(j), rule X.
- **Jul 22, 2004:** Referred jointly and sequentially to the House Committee on the Judiciary for a period ending not later than Oct. 1, 2004 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X.
- **Oct 1, 2003:** Committee Consideration and Mark-up Session Held.
- **Oct 1, 2003:** Ordered to be Reported by Voice Vote.
- **Sep 24, 2003:** Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
- **Sep 24, 2003:** Subcommittee Consideration and Mark-up Session Held.
- **Sep 24, 2003:** Forwarded by Subcommittee to Full Committee by Voice Vote.
- **Sep 23, 2003:** Introduced in House
- **Sep 23, 2003:** Referred to the House Committee on Energy and Commerce.

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