

## HR 4600

Junk Fax Prevention Act of 2004

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Science, Technology, Communications

**Introduced:** Jun 16, 2004

**Current Status:** Read twice and referred to the Committee on Commerce, Science, and Transportation.

**Latest Action:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (Jul 23, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/4600>

### Sponsor

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**Name:** Rep. Upton, Fred [R-MI-6]

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

**Cosponsors** (41 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barton, Joe [R-TX-6]	R · TX		Jun 16, 2004
Rep. Bono, Mary [R-CA-45]	R · CA		Jun 16, 2004
Rep. Boucher, Rick [D-VA-9]	D · VA		Jun 16, 2004
Rep. Burr, Richard [R-NC-5]	R · NC		Jun 16, 2004
Rep. Buyer, Steve [R-IN-4]	R · IN		Jun 16, 2004
Rep. Capps, Lois [D-CA-23]	D · CA		Jun 16, 2004
Rep. Davis, Jim [D-FL-11]	D · FL		Jun 16, 2004
Rep. Dingell, John D. [D-MI-15]	D · MI		Jun 16, 2004
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Jun 16, 2004
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Jun 16, 2004
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Jun 16, 2004
Rep. Gordon, Bart [D-TN-6]	D · TN		Jun 16, 2004
Rep. Green, Gene [D-TX-29]	D · TX		Jun 16, 2004
Rep. John, Christopher [D-LA-7]	D · LA		Jun 16, 2004
Rep. Markey, Edward J. [D-MA-7]	D · MA		Jun 16, 2004
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Jun 16, 2004
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Jun 16, 2004
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jun 16, 2004
Rep. Shimkus, John [R-IL-19]	R · IL		Jun 16, 2004
Rep. Stearns, Cliff [R-FL-6]	R · FL		Jun 16, 2004
Rep. Terry, Lee [R-NE-2]	R · NE		Jun 16, 2004
Rep. Towns, Edolphus [D-NY-10]	D · NY		Jun 16, 2004
Rep. Wynn, Albert Russell [D-MD-4]	D · MD		Jun 16, 2004
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Jun 17, 2004
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Jun 21, 2004
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		Jun 21, 2004
Rep. Shays, Christopher [R-CT-4]	R · CT		Jun 21, 2004
Rep. Goode, Virgil H., Jr. [R-VA-5]	R · VA		Jun 23, 2004
Rep. Lewis, Ron [R-KY-2]	R · KY		Jun 23, 2004
Rep. Strickland, Ted [D-OH-6]	D · OH		Jun 23, 2004
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jun 23, 2004
Rep. Davis, Lincoln [D-TN-4]	D · TN		Jun 24, 2004
Rep. McCarthy, Karen [D-MO-5]	D · MO		Jun 24, 2004
Rep. Whitfield, Ed [R-KY-1]	R · KY		Jun 24, 2004
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Jul 6, 2004
Rep. Moran, Jerry [R-KS-1]	R · KS		Jul 6, 2004
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Jul 6, 2004
Rep. Wilson, Joe [R-SC-2]	R · SC		Jul 6, 2004
Rep. LaHood, Ray [R-IL-18]	R · IL		Jul 7, 2004
Rep. Ney, Robert W. [R-OH-18]	R · OH		Jul 7, 2004
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Jul 9, 2004

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Jul 23, 2004
Energy and Commerce Committee	House	Referred to	Jun 16, 2004

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
108 S 2603	Related bill	<b>Dec 8, 2004:</b> Passed Senate with an amendment by Unanimous Consent.
108 S 2569	Related bill	<b>Jun 23, 2004:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR 6/24/2004 S7324-7325)

Summary (as of Jul 20, 2004)

(This measure has not been amended since it was reported to the House on July 9, 2004. The summary of that version is repeated here.)

Junk Fax Prevention Act of 2004 - Amends the Communications Act of 1934 to prohibit a person from using any telephone facsimile (fax) machine, computer, or other device to send, to another fax machine, an unsolicited advertisement, unless the advertisement: (1) is from a sender with an established business relationship with the recipient; and (2) contains a notice on its first page that the recipient may request not to be sent any future unsolicited advertisements, and that failure to comply with such request is unlawful. Requires such notice to include a domestic contact telephone and fax machine number for the recipient to transmit such a request, as well as a cost-free mechanism for sending the request.

Requires the Federal Communications Commission (FCC) to provide that a request not to send unsolicited advertisements complies with FCC requirements if: (1) the request identifies the recipient fax number to which the request relates; (2) the request is made to the telephone or fax number of the sender; and (3) the person making the request has not subsequently provided express invitation or permission to the sender to have such advertisements sent. Authorizes the FCC to allow tax-exempt, nonprofit professional or trade associations to send unsolicited advertisements to their members in furtherance of professional or association purposes.

Authorizes the FCC, upon determining a significant number of complaints involving unsolicited fax advertisements, to limit the duration of the existence of an "established business relationship" exemption to a period not shorter than five and not longer than seven years after the last occurrence of an action sufficient to establish such relationship.

Requires the: (1) FCC to report annually to Congress on the enforcement of the above requirements; and (2) Comptroller General to study, and report to specified congressional committees on, complaints received by the FCC concerning unsolicited advertisements sent to fax machines.

## Actions Timeline

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- **Jul 23, 2004:** Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Jul 21, 2004:** Received in the Senate.
- **Jul 20, 2004:** Mr. Upton moved to suspend the rules and pass the bill, as amended.
- **Jul 20, 2004:** Considered under suspension of the rules. (consideration: CR H6089-6093)
- **Jul 20, 2004:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4600.
- **Jul 20, 2004:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6089-6091)
- **Jul 20, 2004:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6089-6091)
- **Jul 20, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 9, 2004:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 108-593.
- **Jul 9, 2004:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 108-593.
- **Jul 9, 2004:** Placed on the Union Calendar, Calendar No. 355.
- **Jun 24, 2004:** Committee Consideration and Mark-up Session Held.
- **Jun 24, 2004:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 16, 2004:** Introduced in House
- **Jun 16, 2004:** Introduced in House
- **Jun 16, 2004:** Referred to the House Committee on Energy and Commerce.
- **Jun 16, 2004:** Referred to the Subcommittee on Telecommunications and the Internet.