

HR 3402

Calling Card Consumer Protection Act

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Science, Technology, Communications

Introduced: Aug 3, 2007

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. (Oct 2, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/3402>

Sponsor

Name: Rep. Engel, Eliot L. [D-NY-17]

Party: Democratic • State: NY • Chamber: House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		Aug 3, 2007
Rep. Towns, Edolphus [D-NY-10]	D · NY		Aug 3, 2007
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Sep 5, 2007
Rep. Moran, James P. [D-VA-8]	D · VA		Sep 5, 2007
Rep. Burton, Dan [R-IN-5]	R · IN		Sep 6, 2007
Rep. Cohen, Steve [D-TN-9]	D · TN		Sep 25, 2007
Rep. Higgins, Brian [D-NY-27]	D · NY		Oct 1, 2007
Rep. Sestak, Joe [D-PA-7]	D · PA		Nov 6, 2007
Rep. McDermott, Jim [D-WA-7]	D · WA		Nov 7, 2007
Rep. Sires, Albio [D-NJ-13]	D · NJ		Nov 9, 2007
Rep. Solis, Hilda L. [D-CA-32]	D · CA		Nov 14, 2007
Rep. Tsongas, Niki [D-MA-5]	D · MA		May 13, 2008
Rep. Roybal-Allard, Lucille [D-CA-34]	D · CA		Jul 10, 2008
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Sep 16, 2008

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Oct 2, 2008
Energy and Commerce Committee	House	Referred to	Aug 3, 2007
Energy and Commerce Committee	House	Reported by	Sep 16, 2008

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

## Related Bills

Bill	Relationship	Last Action
110 S 2998	Related bill	<b>Sep 10, 2008:</b> Committee on Commerce, Science, and Transportation. Hearings held. Hearings printed: S.Hrg. 110-1218.

## Summary (as of Sep 25, 2008)

Calling Card Consumer Protection Act - (Sec. 3) Requires providers or distributors of prepaid calling cards, including cards that use interconnected Voice over Internet Protocol (VoIP) or a successor protocol, to clearly and conspicuously disclose information about: (1) the provider's name, customer service number, and hours of service; (2) the card's number of minutes or dollar value; (3) per minute rates or a toll-free number to obtain rates; (4) fees and charges; (5) time period limits, any predetermined decrease in value over a period of time, and expiration dates; and (6) refund and recharge policies.

(Sec. 4) Treats a violation as an unfair or deceptive act or practice under the Federal Trade Commission Act and requires the Federal Trade Commission (FTC) to enforce this Act. Gives the FTC, for this Act, jurisdiction over common carriers subject to the Communications Act of 1934, notwithstanding any other provision of law.

(Sec. 5) Allows civil enforcement actions to be brought, except when an FTC action is pending, by a state attorney general, a state utilities commission, or a consumer protection agency for an injunction, to enforce this Act, to obtain damages, restitution, or other compensation on behalf of state residents, or for other relief. Allows actions under state laws.

Shields a distributor who is a retail seller of prepaid cards and who, with respect to such cards, is exclusively engaged in point-of-sale transactions from liability for damages unless the distributor acted with actual knowledge that the act or practice giving rise to the action is unfair or deceptive and is unlawful under this Act.

(Sec. 7) Prohibits a state, after final regulations are promulgated under this Act, from establishing or continuing in effect any provision of law that prescribes prepaid card disclosure requirements unless those requirements are identical to those in this Act.

(Sec. 8) Requires the Comptroller General to report to Congress on the effectiveness of this Act and its required disclosures.

## Actions Timeline

---

- **Oct 2, 2008:** Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Sep 26, 2008:** Received in the Senate.
- **Sep 25, 2008:** Mr. Rush moved to suspend the rules and pass the bill, as amended.
- **Sep 25, 2008:** Considered under suspension of the rules. (consideration: CR H9935-9938)
- **Sep 25, 2008:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3402.
- **Sep 25, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H9935-9936)
- **Sep 25, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H9935-9936)
- **Sep 25, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 23, 2008:** Committee Consideration and Mark-up Session Held.
- **Sep 23, 2008:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 16, 2008:** Subcommittee Consideration and Mark-up Session Held.
- **Sep 16, 2008:** Forwarded by Subcommittee to Full Committee by Voice Vote .
- **Aug 3, 2007:** Introduced in House
- **Aug 3, 2007:** Sponsor introductory remarks on measure. (CR 8/4/2007 E1764-1765)
- **Aug 3, 2007:** Referred to the House Committee on Energy and Commerce.
- **Aug 3, 2007:** Referred to the Subcommittee on Commerce, Trade and Consumer Protection.