

117TH CONGRESS
1ST SESSION

H. R. 4564

To amend the Federal Trade Commission Act to require the Federal Trade Commission to publish on the website of the Commission documents to be voted on by the Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2021

Mr. GUTHRIE introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Trade Commission Act to require the Federal Trade Commission to publish on the website of the Commission documents to be voted on by the Commission, and for other purposes.

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 “Federal Trade Com-
5 mission Transparency Act”.

1 **SEC. 2. PUBLICATION OF DOCUMENTS IN ADVANCE OF FTC**
2 **VOTING.**

3 (a) AMENDMENT.—Section 18 of the Federal Trade
4 Commission Act (15 U.S.C. 57a) is amended by inserting
5 at the end the following new subsection:

6 “(k)(1) The Commission may not adopt any order,
7 decision, report, or action by vote of the Commission at
8 a meeting of the Commission, unless the Chairman causes
9 to be published on the website of the Commission the text
10 of such order, decision, report, or action not later than
11 30 days before the date on which the vote is to occur,
12 except when the Chairman determines that emergency or
13 other exigent circumstances require publication less than
14 30 days before the date on which the vote is to occur.

15 “(2) The text published pursuant to paragraph (1)
16 shall be the text intended at the time of the publishing
17 to be subject to a vote. Nothing in this subsection may
18 be construed to prevent the Commission from making
19 changes to the text after the publishing.

20 “(3) If the Chairman determines that publication of
21 all or a portion of an order, decision, report, or action is
22 likely to lead to a result described in a paragraph of sec-
23 tion 552b(c) of title 5, United States Code, the Chairman
24 may exempt such order, decision, report, or action, or such
25 portion, as the case may be, from the publication require-
26 ments of this subsection.

1 “(4) This subsection does not—
2 “(A) create any rights or remedies; or
3 “(B) provide a basis for challenging any order,
4 decision, report, or action adopted by the Commis-
5 sion.”.
6 (b) EFFECTIVE DATE.—The amendment made by
7 this section shall apply beginning on the date that is 90
8 days after the date of the enactment of this Act.

○