H. R. 2690

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 in or affecting commerce.

IN THE HOUSE OF REPRESENTATIVES

APRIL 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 annual reports to Congress regarding the status of investigations of unfair or deceptive acts or practices in or affecting commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Clarifying Legality and Enforcement Action Reasoning Act” or the “CLEAR Act”.

SEC. 2. ANNUAL REPORTING ON THE STATUS OF INVESTIGATIONS.

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

“(o) Report on Investigations.—

“(1) In General.—The Commission shall, on an annual basis, transmit a report to Congress on investigations with respect to unfair or deceptive acts or practices in or affecting commerce (within the meaning of subsection (a)(1)), detailing—

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

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

“(C) the disposition of such investigations, if such investigations have concluded and resulted in official agency action; and

“(D) for each such investigation that was closed with no official agency action, a description sufficient to indicate the legal analysis supporting the Commission’s decision not to continue such investigation, and the industry sectors of the entities subject to each such investigation.
“(2) PRIVACY PROTECTION.—The description required under paragraph (1)(D) shall not include the identity of the person who is the subject of an investigation or any other information that identifies the person.

“(3) FTC WEBSITE POSTING.—The Commission shall make the most recent report required under this subsection publicly available on the Commission’s website, and maintain such report on such website until the next report is transmitted to Congress.”