

AMENDMENT TO H.R. 3375
OFFERED BY MR. SOTO OF FLORIDA

Page 21, after line 11, insert the following (and re-designate succeeding provisions accordingly):

1 SEC. 9. INTERAGENCY WORKING GROUP.

2 (a) IN GENERAL.—The Attorney General, in con-
3 sultation with the Commission, shall convene an inter-
4 agency working group to study the enforcement of section
5 227(b) of the Communications Act of 1934 (47 U.S.C.
6 227(b)).

7 (b) DUTIES.—In carrying out the study under sub-
8 section (a), the interagency working group shall—

9 (1) determine whether, and if so how, any Fed-
10 eral law, including regulations, policies, and prac-
11 tices, or budgetary or jurisdictional constraints in-
12 hibit the enforcement of such section;

13 (2) identify existing and potential Federal poli-
14 cies and programs that encourage and improve co-
15 ordination among Federal departments and agencies
16 and States, and between States, in the enforcement
17 and prevention of the violation of such section;

18 (3) identify existing and potential international
19 policies and programs that encourage and improve

1 coordination between countries in the enforcement
2 and prevention of the violation of such section (and
3 laws of foreign countries prohibiting similar con-
4 duct); and

5 (4) consider—

6 (A) the benefit and potential sources of ad-
7 ditional resources for the Federal enforcement
8 and prevention of the violation of such section;

9 (B) whether memoranda of understanding
10 regarding the enforcement and prevention of
11 the violation of such section should be estab-
12 lished between—

13 (i) the States;

14 (ii) the States and the Federal Gov-
15 ernment; and

16 (iii) the Federal Government and for-
17 eign governments;

18 (C) whether a process should be estab-
19 lished to allow States to request Federal sub-
20 poenas from the Commission with respect to the
21 enforcement of such section;

22 (D) whether increased criminal penalties
23 for the violation of such section (including in-
24 creasing the amount of fines and increasing the
25 maximum term of imprisonment that may be

1 imposed to a period greater than 2 years) are
2 appropriate;

3 (E) whether regulation of any entity that
4 enters into a business arrangement with a car-
5 rier for the specific purpose of carrying, rout-
6 ing, or transmitting a call that constitutes a
7 violation of such section would assist in the suc-
8 cessful enforcement and prevention of the viola-
9 tion of such section; and

10 (F) the extent to which the prosecution of
11 certain violations of such section (which result
12 in economic, physical, or emotional harm) pur-
13 suant to any Department of Justice policy may
14 inhibit or otherwise interfere with the prosecu-
15 tion of other violations of such section.

16 (c) MEMBERS.—The interagency working group shall
17 be composed of such representatives of Federal depart-
18 ments and agencies as the Attorney General considers ap-
19 propriate, which may include—

20 (1) the Department of Commerce (including the
21 National Telecommunications and Information Ad-
22 ministration);

23 (2) the Department of State;

24 (3) the Department of Homeland Security;

25 (4) the Commission;

1 (5) the Federal Trade Commission; and

2 (6) the Bureau of Consumer Financial Protec-
3 tion.

4 (d) NON-FEDERAL STAKEHOLDERS.—In carrying
5 out the study under subsection (a), the interagency work-
6 ing group shall consult with such non-Federal stake-
7 holders as the Attorney General determines have relevant
8 expertise, including the National Association of Attorneys
9 General.

10 (e) REPORT TO CONGRESS.—Not later than 9
11 months after the date of the enactment of this Act, the
12 interagency working group shall submit to the Committee
13 on Commerce, Science, and Transportation and the Com-
14 mittee on the Judiciary of the Senate and the Committee
15 on Energy and Commerce and the Committee on the Judi-
16 ciary of the House of Representatives a report on the find-
17 ings of the study under subsection (a), including—

18 (1) any recommendations regarding the enforce-
19 ment and prevention of the violation of such section;
20 and

21 (2) a description of what process, if any, rel-
22 evant Federal departments and agencies have made
23 in implementing the recommendations under para-
24 graph (1).

