

114TH CONGRESS  
2D SESSION

# H. R. 5109

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2016

Mr. GUTHRIE (for himself and Mr. BURGESS) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## 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.

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 “Clarifying Legality and  
5 Enforcement Action Reasoning Act” or the “CLEAR  
6 Act”.

1 **SEC. 2. ANNUAL REPORTING ON THE STATUS OF INVES-**  
2 **TIGATIONS.**

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

6 “(o) REPORT ON INVESTIGATIONS.—

7 “(1) IN GENERAL.—The Commission shall, on  
8 an annual basis, submit a report to Congress on in-  
9 vestigations with respect to unfair or deceptive acts  
10 or practices in or affecting commerce (within the  
11 meaning of subsection (a)(1)), detailing—

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

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

17 “(C) the disposition of such investigations,  
18 if such investigations have concluded and re-  
19 sulted in official agency action; and

20 “(D) for each such investigation that was  
21 closed with no official agency action, a descrip-  
22 tion sufficient to indicate the legal analysis sup-  
23 porting the Commission’s decision not to con-  
24 tinue such investigation, and the industry sec-  
25 tors of the entities subject to each such inves-  
26 tigation.

1           “(2) PRIVACY PROTECTION.—The description  
2           required under paragraph (1)(D) shall not include  
3           the identity of the person who is the subject of an  
4           investigation or any other information that identifies  
5           the person.”.

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