

115TH CONGRESS
1ST SESSION

H. R. 2566

To direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2017

Mrs. CAROLYN B. MALONEY of New York (for herself and Ms. BONAMICI) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services.

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 “Stop Deceptive Adver-
5 tising for Women’s Healthcare Services Act”.

6 **SEC. 2. PROHIBITION OF DECEPTIVE ADVERTISING OF**
7 **ABORTION SERVICES.**

8 (a) CONDUCT PROHIBITED.—Not later than 180
9 days after the date of enactment of this Act, the Federal
10 Trade Commission shall, in accordance with section 553

1 of title 5, United States Code, promulgate rules to pro-
2 hibit, as an unfair and deceptive act or practice, any per-
3 son from advertising with the intent to deceptively create
4 the impression that—

5 (1) such person is a provider of abortion serv-
6 ices if such person does not provide abortion serv-
7 ices; and

8 (2) such person is not a provider of abortion
9 services if such person does provide abortion serv-
10 ices.

11 (b) ENFORCEMENT.—A violation of a rule promul-
12 gated under subsection (a) shall be treated as a violation
13 of a rule defining an unfair or deceptive act or practice
14 under section 18(a)(1)(B) of the Federal Trade Commis-
15 sion Act (15 U.S.C. 57a(a)(1)(B)). The Commission shall
16 enforce such rules in the same manner, by the same
17 means, and with the same jurisdiction, powers, and duties
18 as though all applicable terms and provisions of the Fed-
19 eral Trade Commission Act were incorporated into and
20 made a part of this Act. Any person who violates this Act
21 shall be subject to the penalties and entitled to the privi-
22 leges and immunities provided in the Federal Trade Com-
23 mission Act (15 U.S.C. 41 et seq.).

24 (c) NONPROFIT ORGANIZATIONS.—The Federal
25 Trade Commission shall enforce this Act with respect to

1 an organization that is not organized to carry on business
2 for its own profit or that of its members as if such organi-
3 zation were a person over which the Commission has au-
4 thority pursuant to section 5(a)(2) of the Federal Trade
5 Commission Act (15 U.S.C. 45(a)(2)).

6 **SEC. 3. DEFINITIONS.**

7 For purposes of the rules prescribed under section
8 2, the following definitions apply:

9 (1) **ADVERTISE.**—The term “advertise” means
10 offering of goods or services to the public, regardless
11 of whether such goods or services are offered for
12 payment or result in a profit.

13 (2) **ABORTION SERVICES.**—The term “abortion
14 services” means providing surgical and non-surgical
15 procedures to terminate a pregnancy, or providing
16 referrals for such procedures.

17 (3) **PERSON.**—The term “person” has the
18 meaning given such term in section 551(2) of title
19 5, United States Code.

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