

118TH CONGRESS
1ST SESSION

H. R. 4224

To authorize the Federal Communications Commission to enforce its own forfeiture penalties with respect to violations of restrictions on the use of telephone equipment.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2023

Ms. MATSUI introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Federal Communications Commission to enforce its own forfeiture penalties with respect to violations of restrictions on the use of telephone equipment.

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. ENFORCEMENT OF FORFEITURE PENALTIES BY**
4 **FEDERAL COMMUNICATIONS COMMISSION.**

5 (a) IN GENERAL.—Title V of the Communications
6 Act of 1934 (47 U.S.C. 501 et seq.) is amended—

7 (1) in section 503(b)(3)(B) (47 U.S.C.
8 503(b)(3)(B)), by striking “In such action,” and in-

1 serting the following: “If, during the 120-day period
2 beginning on the date of a referral of an unpaid for-
3 feiture penalty imposed for a violation of section 227
4 (relating to restrictions on the use of telephone
5 equipment), the Attorney General does not com-
6 mence an action to recover the amount assessed, the
7 Commission may commence and supervise the litiga-
8 tion of such an action and any appeal of such an ac-
9 tion in its own name by any of its attorneys des-
10 ignated by it for such purpose. In any action under
11 this subparagraph,”; and

12 (2) in section 504(a) (47 U.S.C. 504(a))—

13 (A) by striking “It shall be the duty” and
14 inserting “Except as provided in the subsequent
15 sentence, it shall be the duty”; and

16 (B) by striking “The costs and expenses of
17 such prosecutions” and inserting the following:
18 “If, during the 120-day period beginning on the
19 date on which the Commission refers an unpaid
20 forfeiture penalty imposed for a violation of sec-
21 tion 227 (relating to restrictions on the use of
22 telephone equipment) to the Attorney General
23 for prosecution under this subsection, the At-
24 torney General does not commence such a pros-
25 ecution, the Commission may prosecute for the

1 recovery of the forfeiture penalty. The costs and
2 expenses of a prosecution under this sub-
3 section”.

4 (b) PRIORITY.—In carrying out the amendments
5 made by subsection (a) of this section, the Federal Com-
6 munications Commission shall prioritize enforcement of
7 unpaid forfeiture penalties imposed for a violation of sec-
8 tion 227 of the Communications Act of 1934 (47 U.S.C.
9 227) (relating to restrictions on the use of telephone
10 equipment) that are greater than \$25,000,000.

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