

112TH CONGRESS  
1ST SESSION

# S. 1374

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

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IN THE SENATE OF THE UNITED STATES

JULY 14, 2011

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## 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 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 promulgate rules to prohibit, as

1 an unfair and deceptive act or practice, any person from  
2 advertising with the intent to deceptively create the im-  
3 pression that—

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

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

10 (b) ENFORCEMENT.—The Federal Trade Commis-  
11 sion shall enforce the rules required under subsection (a)  
12 as if a violation of such rules were a violation of section  
13 5(a)(1) of the Federal Trade Commission Act (15 U.S.C.  
14 45(a)(1)). The Commission shall enforce such rules in the  
15 same manner and by the same means, powers, and duties  
16 as though all applicable terms and provisions of the Fed-  
17 eral Trade Commission Act were incorporated into and  
18 made a part of this Act.

19 **SEC. 3. DEFINITIONS.**

20 For purposes of the rules prescribed under section  
21 2, the following definitions apply:

22 (1) ADVERTISE.—The term “advertise” means  
23 offering of goods or services to the public, regardless  
24 of whether such goods or services are offered for  
25 payment or result in a profit.

1           (2) ABORTION SERVICES.—The term “abortion  
2           services” means providing surgical and non-surgical  
3           procedures to terminate a pregnancy, or providing  
4           referrals for such procedures.

5           (3) PERSON.—The term “person” has the  
6           meaning given such term in section 551(2) of title  
7           5, United States Code.

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