

119TH CONGRESS
2D SESSION

S. _____

To require a quorum of Federal Trade Commissioners to undertake certain rulemaking and policymaking actions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CURTIS introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require a quorum of Federal Trade Commissioners to undertake certain rulemaking and policymaking actions, and for other purposes.

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 “Federal Trade Com-
5 mission Governance Reform Act”.

6 **SEC. 2. QUORUM FOR RULEMAKING AND OTHER COMMIS-**
7 **SION ACTIVITIES.**

8 (a) AMENDMENT.—The first section of the Federal
9 Trade Commission Act (15 U.S.C. 41) is amended by
10 striking the period in the penultimate sentence and insert-

1 ing “, except that the Commission shall maintain a
2 quorum of not fewer than 3 Commissioners before taking
3 any Commission action that establishes, revises, or re-
4 scinds generally applicable policy, guidance, or interpreta-
5 tions concerning the administration or enforcement of any
6 provision of law enforced by the Commission, including—

7 “(1) initiating, advancing, rescinding, or com-
8 pleting any rulemaking proceeding, regardless of
9 whether such rulemaking proceeding is conducted
10 under chapter 5 of title 5, United States Code, the
11 Magnuson-Moss Warranty—Federal Trade Commis-
12 sion Improvement Act (15 U.S.C. 2301 et seq.), or
13 any other statutory authority;

14 “(2) adopting, amending, or rescinding any pol-
15 icy statement, interpretive rule, industry guide, or
16 enforcement policy statement; and

17 “(3) adopting, amending, or rescinding any
18 other formal Commission action that establishes, re-
19 vises, or rescinds generally applicable policy, guid-
20 ance, or interpretations concerning the administra-
21 tion or enforcement of any provision of law enforced
22 by the Commission.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect on January 20, 2029.