

1 **TITLE XI—IMPROVEMENTS TO THE FEDERAL**
2 **TRADE COMMISSION ACT**

3 **SEC. 1101. AMENDMENTS TO THE FEDERAL TRADE COMMISSION ACT.**

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

6 “(5) In any investigation or proceeding in which it appears to the Commission that
7 an unfair or deceptive act or practice is being committed in connection with the
8 marketing, sale, provision or delivery of a consumer financial product or service, the
9 Commission shall consult and coordinate with the Consumer Financial Protection
10 Agency, as the agencies deem to be appropriate.”

11 (b) Section 5(m)(1)(A) of the Federal Trade Commission Act (15 U.S.C. 45(m)(1)(A)) is
12 amended—

13 (1) by inserting “this Act or” after “violates” the first place it appears;

14 (2) by inserting a comma after “chapter” and after “section”;

15 (3) by inserting “a violation of this Act or is” before “prohibited”.

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

18 “(o) UNLAWFUL ASSISTANCE.—It is unlawful for any person, knowingly or
19 recklessly, to provide substantial assistance to another in violating any provision of this
20 Act or of any other Act enforceable by the Commission that relates to unfair or deceptive
21 acts or practices. Any such violation shall constitute an unfair or deceptive act or practice
22 described in section 5(a)(1) of this Act.”

1 (d) Section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) is amended—

2 (1) in subsection (a)(1)(B), by adding after “pursuant to this section” the
3 following: “or with regard to the marketing, sale, provision or delivery to an individual,
4 for personal, family or household purposes, of a consumer financial product or service
5 that is subject to the jurisdiction of the Consumer Financial Protection Agency under the
6 Consumer Financial Protection Agency Act of 2009”;

7 (2) by amending subsection (b) to read as follows—

8 “(b) PROCEDURE APPLICABLE.— When prescribing a rule under subsection
9 (a)(1)(B) of this section, the Commission shall proceed in accordance with
10 section 553 of Title 5 (without regard to any reference in such section to
11 sections 556 and 557 of such title).”;

12 (3) by striking subsections (c), (d)(1), (d)(2), (f), (i), and (j), and redesignating
13 subsections (e), (g) and (h) as (d), (e) and (f);

14 (4) by redesignating paragraph (d)(3) as subsection (c);

15 (5) in subsection (e)—

16 (A) in paragraph (1)(B), by striking “the transcript required by subsection
17 (c)(5) of this section,”;

18 (B) in paragraph (2), by striking everything following “error”;

19 (C) in paragraph (5), by striking subparagraph (C).
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