

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3  
OFFERED BY MRS. MALONEY OF NEW YORK**

At the end of the amendment, insert the following:

1 **TITLE III—PROHIBITION OF DE-**  
2 **CEPTIVE ADVERTISING OF**  
3 **ABORTION SERVICES**

4 **SEC. 301. PROHIBITION OF DECEPTIVE ADVERTISING OF**  
5 **ABORTION SERVICES.**

6 (a) CONDUCT PROHIBITED.—Not later than 180  
7 days after the date of enactment of this Act, the Federal  
8 Trade Commission shall promulgate rules to prohibit, as  
9 an unfair and deceptive act or practice, any person from  
10 advertising with the intent to deceptively create the im-  
11 pression that—

12 (1) such person is a provider of abortion serv-  
13 ices if such person does not provide abortion serv-  
14 ices; and

15 (2) such person is not a provider of abortion  
16 services if such person does provide abortion serv-  
17 ices.

18 (b) ENFORCEMENT.—The Federal Trade Commis-  
19 sion shall enforce the rules required under subsection (a)

1 as if a violation of such rules were a violation of section  
2 5(a)(1) of the Federal Trade Commission Act (15 U.S.C.  
3 45(a)(1)). The Commission shall enforce such rules in the  
4 same manner and by the same means, powers, and duties  
5 as though all applicable terms and provisions of the Fed-  
6 eral Trade Commission Act were incorporated into and  
7 made a part of this Act.

8 (c) DEFINITIONS.—For purposes of the rules pre-  
9 scribed under subsection (a), the following definitions  
10 apply:

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

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

19 (3) PERSON.—The term “person” has the  
20 meaning given such term in section 551(2) of title  
21 5, United States Code.

Amend the table of contents by inserting the fol-  
lowing after the matter relating to title II:

TITLE III—PROHIBITION OF DECEPTIVE ADVERTISING OF  
ABORTION SERVICES

Sec. 301. Prohibition of deceptive advertising of abortion services.

