

PRIOR PROVISIONS

A prior section 25 of act Sept. 26, 1914, was renumbered section 28 and is classified to section 58 of this title.

AMENDMENTS

1996—Pub. L. 104-216 struck out “and” before “not to exceed \$102,000,000” and inserted before period at end “; not to exceed \$107,000,000 for fiscal year 1997; and not to exceed \$111,000,000 for fiscal year 1998”.

1994—Pub. L. 103-312, §14, amended section generally. Prior to amendment, section read as follows: “There are authorized to be appropriated to carry out the functions, powers, and duties of the Federal Trade Commission not to exceed \$42,000,000 for the fiscal year ending June 30, 1975; not to exceed \$47,091,000 for the fiscal year ending June 30, 1976; not to exceed \$50,000,000 for the fiscal year ending in 1977; not to exceed \$70,000,000 for the fiscal year ending September 30, 1980; not to exceed \$75,000,000 for the fiscal year ending September 30, 1981; and not to exceed \$80,000,000 for the fiscal year ending September 30, 1982.”

1980—Pub. L. 96-252, §17, substituted “1977; not to exceed \$70,000,000 for the fiscal year ending September 30, 1980; not to exceed \$75,000,000 for the fiscal year ending September 30, 1981; and not to exceed \$80,000,000 for the fiscal year ending September 30, 1982” for “1977. For fiscal years ending after 1977, there may be appropriated to carry out such functions, powers, and duties, only such sums as the Congress may hereafter authorize by law”.

1976—Pub. L. 94-299 substituted “\$47,091,000” for “\$46,000,000”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-252 effective May 28, 1980, see section 23 of Pub. L. 96-252, set out as a note under section 45 of this title.

INTERVENTION BY COMMISSION IN CERTAIN PROCEEDINGS

Pub. L. 103-312, §11, Aug. 26, 1994, 108 Stat. 1696, provided that:

“(a) LIMITATION ON USE OF AUTHORIZED FUNDS.—The Federal Trade Commission shall not have any authority to use any funds which are authorized to be appropriated to carry out the Federal Trade Commission Act (15 U.S.C. 41 et seq.) for fiscal years 1994, 1995, and 1996 for the purpose of submitting statements to, appearing before, or intervening in the proceedings of, any Federal or State agency or State legislative body concerning proposed rules or legislation that the agency or legislative body is considering unless the Commission advises the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding such action as soon as possible.

“(b) CONTENTS OF NOTICE TO CONGRESS.—The notice required in subsection (a) shall include the name of the agency or legislator involved, the date of such action, and a concise statement regarding the nature and purpose of such action.”

RESTRICTION ON USE OF FUNDS TO CANCEL REGISTRATION OF TRADEMARKS

Section 18 of Pub. L. 96-252 prohibited the Federal Trade Commission from using any funds authorized to be appropriated to carry out this subchapter for fiscal year 1980, 1981, or 1982 (or 1983 as extended by Pub. L. 97-377, title I §101(d), Dec. 21, 1982, 96 Stat. 1870), under this section, for the purpose of taking any action under 15 U.S.C. 1064 with respect to the cancellation of the registration of any mark on the ground that such mark has become the common descriptive name of an article or substance.

RESTRICTION ON USE OF FUNDS RESPECTING STUDY, INVESTIGATION, OR PROSECUTION OF ANY AGRICULTURAL COOPERATIVE OR STUDY OR INVESTIGATION OF ANY AGRICULTURAL MARKETING ORDERS

Section 20 of Pub. L. 96-252 prohibited the Federal Trade Commission from using any funds authorized to

be appropriated to carry out this subchapter for fiscal year 1980, 1981, or 1982 (or 1983 as extended by Pub. L. 97-377, title I §101(d), Dec. 21, 1982, 96 Stat. 1870), under this section, for the purpose of conducting any study, investigation, or prosecution of any agricultural cooperative for any conduct which, because of the provisions of the Capper-Volstead Act (7 U.S.C. 291 et seq.), was not a violation of any Federal antitrust Act or this subchapter or for the purpose of conducting any study or investigation of any agricultural marketing orders.

§ 57c-1. Staff exchanges

(a) In general

The Commission may—

(1) retain or employ officers or employees of foreign government agencies on a temporary basis as employees of the Commission pursuant to section 42 of this title or section 3101 or section 3109 of title 5; and

(2) detail officers or employees of the Commission to work on a temporary basis for appropriate foreign government agencies.

(b) Reciprocity and reimbursement

The staff arrangements described in subsection (a) need not be reciprocal. The Commission may accept payment or reimbursement, in cash or in kind, from a foreign government agency to which this section is applicable, or payment or reimbursement made on behalf of such agency, for expenses incurred by the Commission, its members, and employees in carrying out such arrangements.

(c) Standards of conduct

A person appointed under subsection (a)(1) shall be subject to the provisions of law relating to ethics, conflicts of interest, corruption, and any other criminal or civil statute or regulation governing the standards of conduct for Federal employees that are applicable to the type of appointment.

(Sept. 26, 1914, ch. 311, §25A, as added Pub. L. 109-455, §9, Dec. 22, 2006, 120 Stat. 3381.)

REPEAL OF SECTION

For repeal of section by section 13 of Pub. L. 109-455, see Effective Date of Repeal note below.

EFFECTIVE DATE OF REPEAL

Section repealed effective Sept. 30, 2020, see section 13 of Pub. L. 109-455, as amended by section 1 of Pub. L. 112-203, set out as a Termination Date of 2006 Amendment note under section 44 of this title.

§ 57c-2. Reimbursement of expenses

The Commission may accept payment or reimbursement, in cash or in kind, from a domestic or foreign law enforcement agency, or payment or reimbursement made on behalf of such agency, for expenses incurred by the Commission, its members, or employees in carrying out any activity pursuant to a statute administered by the Commission without regard to any other provision of law. Any such payments or reimbursements shall be considered a reimbursement to the appropriated funds of the Commission.

(Sept. 26, 1914, ch. 311, §26, as added Pub. L. 109-455, §11(2), Dec. 22, 2006, 120 Stat. 3381.)

REPEAL OF SECTION

For repeal of section by section 13 of Pub. L. 109-455, see Effective Date of Repeal note below.

PRIOR PROVISIONS

A prior section 26 of act Sept. 26, 1914, was renumbered section 28 and is classified to section 58 of this title.

EFFECTIVE DATE OF REPEAL

Section repealed effective Sept. 30, 2020, see section 13 of Pub. L. 109-455, as amended by section 1 of Pub. L. 112-203, set out as a Termination Date of 2006 Amendment note under section 44 of this title.

§ 58. Short title

This subchapter may be cited as the ‘Federal Trade Commission Act’.

(Sept. 26, 1914, ch. 311, §28, formerly §18, as added Mar. 21, 1938, ch. 49, §4, 52 Stat. 114; renumbered §21, Pub. L. 93-637, title II, §202(a), Jan. 4, 1975, 88 Stat. 2193; renumbered §25, Pub. L. 96-252, §13, May 28, 1980, 94 Stat. 380; renumbered §26, Pub. L. 103-312, §2, Aug. 26, 1994, 108 Stat. 1691; renumbered §28, Pub. L. 109-455, §11(1), Dec. 22, 2006, 120 Stat. 3381.)

AMENDMENT OF SECTION

For repeal of amendment renumbering this section by section 13 of Pub. L. 109-455, see Termination Date of 2006 Amendment note below.

TERMINATION DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-455 repealed effective Sept. 30, 2020, and provisions amended by Pub. L. 109-455 to be amended to read as if Pub. L. 109-455 had not been enacted, see section 13 of Pub. L. 109-455, as amended by section 1 of Pub. L. 112-203, set out as a note under section 44 of this title.

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-455, §1, Dec. 22, 2006, 120 Stat. 3372, provided that: ‘‘This Act [enacting sections 57b-2a, 57b-2b, 57c-1, and 57c-2 of this title, amending this section, sections 44, 45, 46, 56, and 57b-2 of this title, and section 3412 of Title 12, Banks and Banking, and enacting provisions set out as notes under section 44 of this title] may be cited as the ‘Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006’ or the ‘U.S. SAFE WEB Act of 2006.’’’

[Section 1 of Pub. L. 109-455, set out above, repealed effective Sept. 30, 2020, see section 13 of Pub. L. 109-455, as amended by section 1 of Pub. L. 112-203, set out as a Termination Date of 2006 Amendment note under section 44 of this title.]

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-216, §1, Oct. 1, 1996, 110 Stat. 3019, provided that: ‘‘This Act [amending section 57c of this title] may be cited as the ‘Federal Trade Commission Reauthorization Act of 1996.’’’

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-312, §1(a), Aug. 26, 1994, 108 Stat. 1691, provided that: ‘‘This Act [enacting section 57b-5 of this title, amending this section and sections 45, 53, 57a, 57b-1, 57b-2, and 57c of this title, and enacting provisions set out as notes under sections 45 and 57c of this title] may be cited as the ‘Federal Trade Commission Act Amendments of 1994.’’’

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-252, §1, May 28, 1980, 94 Stat. 374, provided that ‘‘This Act [enacting sections 57a-1 and 57b-1 to 57b-4 of this title, amending this section and sections 45, 46, 50, 57a, and 57c of this title, and enacting provisions set out as notes under sections 45, 46, 57a, 57a-1, and 57c of this title] may be cited as the ‘Federal Trade Commission Improvements Act of 1980.’’’

SUBCHAPTER II—PROMOTION OF EXPORT TRADE

§ 61. Export trade; definitions

The words ‘‘export trade’’ wherever used in this subchapter mean solely trade or commerce in goods, wares, or merchandise exported, or in the course of being exported from the United States or any Territory thereof to any foreign nation; but the words ‘‘export trade’’ shall not be deemed to include the production, manufacture, or selling for consumption or for resale, within the United States or any Territory thereof, of such goods, wares, or merchandise, or any act in the course of such production, manufacture, or selling for consumption or for resale.

The words ‘‘trade within the United States’’ wherever used in this subchapter mean trade or commerce among the several States or in any Territory of the United States, or in the District of Columbia, or between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or between the District of Columbia and any State or States.

The word ‘‘association’’ wherever used in this subchapter means any corporation or combination, by contract or otherwise, of two or more persons, partnerships, or corporations.

(Apr. 10, 1918, ch. 50, §1, 40 Stat. 516.)

§ 62. Export trade and antitrust legislation

Nothing contained in the Sherman Act [15 U.S.C. 1 et seq.] shall be construed as declaring to be illegal an association entered into for the sole purpose of engaging in export trade and actually engaged solely in such export trade, or an agreement made or act done in the course of export trade by such association, provided such association, agreement, or act is not in restraint of trade within the United States, and is not in restraint of the export trade of any domestic competitor of such association: *Provided*, That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally enhances or depresses prices within the United States of commodities of the class exported by such association, or which substantially lessens competition within the United States or otherwise restrains trade therein.

(Apr. 10, 1918, ch. 50, §2, 40 Stat. 517.)

CODIFICATION

‘‘Sherman Act [15 U.S.C. 1 et seq.]’’ substituted in text for ‘‘Act entitled ‘An Act to protect trade and commerce against unlawful restraints and monopolies,’ approved July second, eighteen hundred and ninety’’ on authority of the enacting clause of that Act set out as a Short Title note under section 1 of this title.

§ 63. Acquisition of stock of export trade corporation

Nothing contained in section 18 of this title shall be construed to forbid the acquisition or ownership by any corporation of the whole or any part of the stock or other capital of any corporation organized solely for the purpose of engaging in export trade, and actually engaged