

exercise by the Commission of its functions and powers under the Federal Trade Commission Act [15 U.S.C. 41 et seq.], a violation of any requirement imposed under this subchapter shall be deemed a violation of a requirement imposed under that Act. All the functions and powers of the Commission under that Act are available to the Commission to enforce compliance by any person with the requirements imposed under this subchapter, irrespective of whether that person is engaged in commerce or meets any other jurisdictional tests in that Act. The Commission may prescribe such regulations as are necessary or appropriate to implement the provisions of this subchapter.

(Pub. L. 102-556, title III, §303, Oct. 28, 1992, 106 Stat. 4192.)

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in text, is act Sept. 26, 1914, ch. 311, 38 Stat. 717, as amended, which is classified generally to subchapter I (§41 et seq.) of chapter 2 of this title. For complete classification of this Act to the Code, see section 58 of this title and Tables.

§ 5724. Definitions

As used in this subchapter—

(1) The term “telephone-billed purchase” means any purchase that is completed solely as a consequence of the completion of the call or a subsequent dialing, touch tone entry, or comparable action of the caller. Such term does not include—

(A) a purchase by a caller pursuant to a preexisting agreement with the vendor;

(B) local exchange telephone services or interexchange telephone services or any service that the Federal Communications Commission determines, by rule—

(i) is closely related to the provision of local exchange telephone services or interexchange telephone services; and

(ii) is subject to billing dispute resolution procedures required by Federal or State statute or regulation; or

(C) the purchase of goods or services which is otherwise subject to billing dispute resolution procedures required by Federal statute or regulation.

(2) A “billing error” consists of any of the following:

(A) A reflection on a billing statement for a telephone-billed purchase which was not made by the customer or, if made, was not in the amount reflected on such statement.

(B) A reflection on a billing statement of a telephone-billed purchase for which the customer requests additional clarification, including documentary evidence thereof.

(C) A reflection on a billing statement of a telephone-billed purchase that was not accepted by the customer or not provided to the customer in accordance with the stated terms of the transaction.

(D) A reflection on a billing statement of a telephone-billed purchase for a call made to an 800 or other toll free telephone number.

(E) The failure to reflect properly on a billing statement a payment made by the

customer or a credit issued to the customer with respect to a telephone-billed purchase.

(F) A computation error or similar error of an accounting nature on a statement.

(G) Failure to transmit the billing statement to the last known address of the customer, unless that address was furnished less than twenty days before the end of the billing cycle for which the statement is required.

(H) Any other error described in regulations prescribed by the Commission pursuant to section 553 of title 5.

(3) The term “Commission” means the Federal Trade Commission.

(4) The term “providing carrier” means a local exchange or interexchange common carrier providing telephone services (other than local exchange services) to a vendor for a telephone-billed purchase that is the subject of a billing error complaint.

(5) The term “vendor” means any person who, through the use of the telephone, offers goods or services for a telephone-billed purchase.

(6) The term “customer” means any person who acquires or attempts to acquire goods or services in a telephone-billed purchase.

(Pub. L. 102-556, title III, §304, Oct. 28, 1992, 106 Stat. 4193.)

CHAPTER 84—COMMERCIAL SPACE COMPETITIVENESS

§ 5801. Transferred

CODIFICATION

Section, Pub. L. 102-588, title V, §501, Nov. 4, 1992, 106 Stat. 5122, which related to findings, was transferred and is set out as a note under section 50501 of Title 51, National and Commercial Space Programs.

§§ 5802, 5803. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section 5802, Pub. L. 102-588, title V, §502, Nov. 4, 1992, 106 Stat. 5123, provided definitions for this chapter. See section 50501 of Title 51, National and Commercial Space Programs.

Section 5803, Pub. L. 102-588, title V, §504, Nov. 4, 1992, 106 Stat. 5124; Pub. L. 105-303, title I, §103, Oct. 28, 1998, 112 Stat. 2851, related to launch voucher demonstration program. See section 50502 of Title 51.

§ 5804. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section, Pub. L. 102-588, title V, §505, Nov. 4, 1992, 106 Stat. 5124, related to space transportation infrastructure matching grants.

§§ 5805 to 5808. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section 5805, Pub. L. 102-588, title V, §506, Nov. 4, 1992, 106 Stat. 5127, related to identification of launch support facilities.

Section 5806, Pub. L. 102-588, title V, §507, Nov. 4, 1992, 106 Stat. 5127, related to anchor tenancy and termination liability. See section 50503 of Title 51, National and Commercial Space Programs.

Section 5807, Pub. L. 102-588, title V, §508, Nov. 4, 1992, 106 Stat. 5128, related to use of Government facilities. See section 50504 of Title 51.

Section 5808, Pub. L. 102-588, title V, §510, Nov. 4, 1992, 106 Stat. 5129, related to Commercial Space Achievement Award. See section 50506 of Title 51.