

commercial purposes are not used for any commercial purpose, the Secretary (in collaboration with private sector entities responsible for the marketing and distribution of unenhanced data generated by the Landsat system) shall develop and implement a system for enforcing this prohibition, in the event that unenhanced data from the Landsat system are made available for noncommercial purposes at a different price than such data are made available for other purposes.

**(b) Authority of Secretary**

Subject to subsection (d) of this section, the Secretary may impose any of the enforcement mechanisms described in subsection (c) of this section against a person who—

- (1) receives unenhanced data from the Landsat system under this chapter solely for noncommercial purposes (and at a different price than the price at which such data are made available for other purposes); and
- (2) uses such data for other than noncommercial purposes.

**(c) Enforcement mechanisms**

Enforcement mechanisms referred to in subsection (b) of this section may include civil penalties of not more than \$10,000 (per day per violation), denial of further unenhanced data purchasing privileges, and any other penalties or restrictions the Secretary considers necessary to ensure, to the greatest extent practicable, that unenhanced data provided for noncommercial purposes are not used to unfairly compete in the commercial market against private sector entities not eligible for data at the cost of fulfilling user requests.

**(d) Procedures and regulations**

The Secretary shall issue any regulations necessary to carry out this section and shall establish standards and procedures governing the imposition of enforcement mechanisms under subsection (b) of this section. The standards and procedures shall include a procedure for potentially aggrieved parties to file formal protests with the Secretary alleging instances where such unenhanced data has been, or is being, used for commercial purposes in violation of the terms of receipt of such data. The Secretary shall promptly act to investigate any such protest, and shall report annually to the Congress on instances of such violations.

(Pub. L. 102-555, title V, § 508, Oct. 28, 1992, 106 Stat. 4179.)

**SUBCHAPTER VI—PROHIBITION OF COMMERCIALIZATION OF WEATHER SATELLITES**

**§ 5671. Prohibition**

Neither the President nor any other official of the Government shall make any effort to lease, sell, or transfer to the private sector, or commercialize, any portion of the weather satellite systems operated by the Department of Commerce or any successor agency.

(Pub. L. 102-555, title VI, § 601, Oct. 28, 1992, 106 Stat. 4179.)

**§ 5672. Future considerations**

Regardless of any change in circumstances subsequent to October 28, 1992, even if such change makes it appear to be in the national interest to commercialize weather satellites, neither the President nor any official shall take any action prohibited by section 5671 of this title unless this subchapter has first been repealed.

(Pub. L. 102-555, title VI, § 602, Oct. 28, 1992, 106 Stat. 4180.)

**CHAPTER 83—TELEPHONE DISCLOSURE AND DISPUTE RESOLUTION**

Sec.

5701. Short title; findings.

**SUBCHAPTER I—REGULATION OF UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH PAY-PER-CALL SERVICES**

5711. Federal Trade Commission regulations.

5712. Actions by States.

5713. Administration and applicability of subchapter.

5714. Definitions.

**SUBCHAPTER II—BILLING AND COLLECTION**

5721. Regulations.

5722. Relation to State laws.

5723. Enforcement.

5724. Definitions.

**§ 5701. Short title; findings**

**(a) Short title**

This chapter may be cited as the “Telephone Disclosure and Dispute Resolution Act”.

**(b) Findings**

The Congress finds the following:

(1) The use of pay-per-call services, most commonly through the use of 900 telephone numbers, has grown exponentially in the past few years into a national, billion-dollar industry as a result of recent technological innovations. Such services are convenient to consumers, cost-effective to vendors, and profitable to communications common carriers.

(2) Many pay-per-call businesses provide valuable information, increase consumer choices, and stimulate innovative and responsive services that benefit the public.

(3) The interstate nature of the pay-per-call industry means that its activities are beyond the reach of individual States and therefore requires Federal regulatory treatment to protect the public interest.

(4) The lack of nationally uniform regulatory guidelines has led to confusion for callers, subscribers, industry participants, and regulatory agencies as to the rights of callers and the oversight responsibilities of regulatory authorities, and has allowed some pay-per-call businesses to engage in practices that abuse the rights of consumers.

(5) Some interstate pay-per-call businesses have engaged in practices which are misleading to the consumer, harmful to the public interest, or contrary to accepted standards of business practices and thus cause harm to the many reputable businesses that are serving the public.