

Union Calendar No.

114TH CONGRESS
2^D SESSION

H. R. 2566

[Report No. 114-]

To amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2015

Mr. YOUNG of Iowa (for himself, Mr. WELCH, Mr. ZINKE, Mr. PETERSON, Mr. POCAN, Mr. LOEBSACK, and Mr. NOLAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER --, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on May 21, 2015]

A BILL

To amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Improving Rural Call*
5 *Quality and Reliability Act of 2016”.*

6 **SEC. 2. ENSURING THE INTEGRITY OF VOICE COMMUNICA-**
7 **TIONS.**

8 *Part II of title II of the Communications Act of 1934*
9 *(47 U.S.C. 251 et seq.) is amended by adding at the end*
10 *the following:*

11 **“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMU-**
12 **NICATIONS.**

13 *“(a) REGISTRATION AND COMPLIANCE BY INTER-*
14 *MEDIATE PROVIDERS.—An intermediate provider that of-*
15 *fers or holds itself out as offering the capability to transmit*
16 *covered voice communications from one destination to an-*
17 *other and that charges any rate to any other entity (includ-*
18 *ing an affiliated entity) for the transmission shall—*

19 *“(1) register with the Commission; and*

20 *“(2) comply with the service quality standards*
21 *for such transmission to be established by the Com-*
22 *mission under subsection (c)(1)(B).*

23 *“(b) REQUIRED USE OF REGISTERED INTERMEDIATE*
24 *PROVIDERS.—A covered provider may not use an inter-*
25 *mediate provider to transmit covered voice communications*

1 *unless such intermediate provider is registered under sub-*
2 *section (a)(1).*

3 “(c) *COMMISSION RULES.*—

4 “(1) *IN GENERAL.*—

5 “(A) *REGISTRY.*—*Not later than 180 days*
6 *after the date of enactment of this section, the*
7 *Commission shall promulgate rules to establish a*
8 *registry to record registrations under subsection*
9 *(a)(1).*

10 “(B) *SERVICE QUALITY STANDARDS.*—*Not*
11 *later than 1 year after the date of enactment of*
12 *this section, the Commission shall promulgate*
13 *rules to establish service quality standards for*
14 *the transmission of covered voice communica-*
15 *tions by intermediate providers.*

16 “(2) *REQUIREMENTS.*—*In promulgating the*
17 *rules required by paragraph (1), the Commission*
18 *shall—*

19 “(A) *ensure the integrity of the trans-*
20 *mission of covered voice communications to all*
21 *customers in the United States; and*

22 “(B) *prevent unjust or unreasonable dis-*
23 *crimination among areas of the United States in*
24 *the delivery of covered voice communications.*

1 “(d) *PUBLIC AVAILABILITY OF REGISTRY.*—*The Com-*
2 *mission shall make the registry established under subsection*
3 *(c)(1)(A) publicly available on the website of the Commis-*
4 *sion.*

5 “(e) *SCOPE OF APPLICATION.*—*The requirements of*
6 *this section shall apply regardless of the format by which*
7 *any communication or service is provided, the protocol or*
8 *format by which the transmission of such communication*
9 *or service is achieved, or the regulatory classification of*
10 *such communication or service.*

11 “(f) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
12 *tion shall be construed to affect the regulatory classification*
13 *of any communication or service.*

14 “(g) *EFFECT ON OTHER LAWS.*—*Nothing in this sec-*
15 *tion shall be construed to preempt or expand the authority*
16 *of a State public utility commission or other relevant State*
17 *agency to collect data, or investigate and enforce State law*
18 *and regulations, regarding the completion of intrastate*
19 *voice communications, regardless of the format by which*
20 *any communication or service is provided, the protocol or*
21 *format by which the transmission of such communication*
22 *or service is achieved, or the regulatory classification of*
23 *such communication or service.*

24 “(h) *EXCEPTION.*—*The requirement under subsection*
25 *(a)(2) to comply with the service quality standards estab-*

1 *lished under subsection (c)(1)(B) shall not apply to a cov-*
2 *ered provider that—*

3 *“(1) on or before the date that is 1 year after the*
4 *date of enactment of this section, has certified as a*
5 *Safe Harbor provider under section 64.2107(a) of title*
6 *47, Code of Federal Regulations, or any successor reg-*
7 *ulation; and*

8 *“(2) continues to meet the requirements under*
9 *such section 64.2107(a).*

10 *“(i) DEFINITIONS.—In this section:*

11 *“(1) COVERED PROVIDER.—The term ‘covered*
12 *provider’ has the meaning given the term in section*
13 *64.2101 of title 47, Code of Federal Regulations, or*
14 *any successor thereto.*

15 *“(2) COVERED VOICE COMMUNICATION.—The*
16 *term ‘covered voice communication’ means a voice*
17 *communication (including any related signaling in-*
18 *formation) that is generated—*

19 *“(A) from the placement of a call from a*
20 *connection using a North American Numbering*
21 *Plan resource or a call placed to a connection*
22 *using such a numbering resource; and*

23 *“(B) through any service provided by a cov-*
24 *ered provider.*

1 “(3) *INTERMEDIATE PROVIDER.*—*The term ‘in-*
2 *termediate provider’ means any entity that—*

3 “(A) *enters into a business arrangement*
4 *with a covered provider or other intermediate*
5 *provider for the specific purpose of carrying,*
6 *routing, or transmitting voice traffic that is gen-*
7 *erated from the placement of a call placed—*

8 “(i) *from an end user connection using*
9 *a North American Numbering Plan re-*
10 *source; or*

11 “(ii) *to an end user connection using*
12 *such a numbering resource; and*

13 “(B) *does not itself, either directly or in*
14 *conjunction with an affiliate, serve as a covered*
15 *provider in the context of originating or termi-*
16 *nating a given call.”.*