



U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE

September 8, 2016

TO: Members, Subcommittee on Communications and Technology

FROM: Committee Majority Staff

RE: Subcommittee Markup of H.R. 2566 and H.R. 2669

I. INTRODUCTION

The Subcommittee on Communications and Technology will meet in open markup session on September 12 and 13, 2016, in 2322 Rayburn House Office Building.

On Monday, September 12 at 5:00 p.m., the Subcommittee will convene for opening statements only. The Subcommittee will reconvene on Tuesday, September 13 at 10:00 a.m. to consider the following:

- H.R. 2566, Improving Rural Call Quality and Reliability Act of 2015, and
- H.R. 2669, Anti-Spoofing Act of 2015.

In keeping with Chairman Upton's announced policy, Members must submit any amendments they may have two hours before they are offered during this markup. Members may submit amendments by email to peter.kielty@mail.house.gov. Any information with respect to an amendment's parliamentary standing (e.g., its germaneness) should be submitted at this time as well.

II. H.R. 2566, IMPROVING RURAL CALL QUALITY AND RELIABILITY ACT OF 2015

As part of the Subcommittee's ongoing efforts to address the rural call completion issue, it will examine H.R. 2566, the Improving Rural Call Quality and Reliability Act of 2015. H.R. 2566 amends the Communications Act of 1934 by adding a new section to require intermediate providers who offer the capability of transmitting covered voice communications to register with the Federal Communications Commission (FCC or Commission). The bill also requires the Commission to establish service quality standards for intermediate providers to ensure the integrity of voice communication, while clarifying that state agencies and public utility commissions will continue to have a role in ensuring the quality of voice service within the state, and to prevent unjust or unreasonable discrimination among areas of the United States. The bill also prohibits the use of any intermediate provider that is not registered with the Commission.

H.R. 2566 also provides some transparency in the provision of intermediate routing by requiring the Commission to establish a database of registered intermediate providers and to make it available on the Commission's website.

A. AMENDMENT IN THE NATURE OF A SUBSTITUTE

The Subcommittee will also consider an amendment to H.R. 2566 that would make the following changes to the legislation: (1) extend the deadline for the FCC to develop minimum service quality standards for registered intermediate providers to one year; (2) create an exemption to the service quality standards for providers who are certified under the FCC's existing "safe harbor," which already requires service standards; and (3) narrow the definition of "intermediate provider" to avoid inadvertently capturing non-intermediate providers.

III. H.R. 2669, ANTI-SPOOFING ACT OF 2015

Spoofing is a practice in which a phone number shown on a phone or caller identification device deliberately is falsified. Spoofing is a commonly used tool for a number of illegal practices, including "phishing" for personal information and "swatting" – calling in a fictitious crime in progress in order to generate a police response. The Truth in Caller ID Act of 2009 prohibits spoofing of voice caller identification information. However, as communications methods and consumer habits continue to evolve, so do the attempts by third parties to gain personal information for criminal use. Many Americans now rely on text messaging to stay connected. According to CTIA, in 2015, Americans sent over 156 billion text messages per month.

H.R. 3670, the Anti-Spoofing Act, extends the provisions of the Truth in Caller ID Act to include text messaging and text messaging services. The legislation adds a definition of "spoofing service" to the statute, addressing the growth of services that allows a user to knowingly transmit misleading or inaccurate caller identification information. In addition, it extends the prohibitions to any person or service placing an international call to a recipient within the United States.

IV. STAFF CONTACTS

If you have any questions regarding this markup, please contact Charlotte Savercool of the Committee staff at (202) 225-2927.