

117TH CONGRESS  
1ST SESSION

# H. R. 678

To amend the Communications Act of 1934 to provide for a moratorium on number reassignment after a disaster declaration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2021

Mr. THOMPSON of California (for himself, Mr. NEWHOUSE, Ms. BROWNLEY, Ms. ESHOO, Mr. GARAMENDI, Ms. GARCIA of Texas, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. KUSTER, Mrs. LURIA, Ms. MATSUI, Mr. MCNERNEY, Ms. NORTON, Mr. RUTHERFORD, Ms. TITUS, Mr. WEBER of Texas, and Mr. CARSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Communications Act of 1934 to provide for a moratorium on number reassignment after a disaster declaration, and for other purposes.

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 “Preserving Home and  
5 Office Numbers in Emergencies Act of 2021” or the  
6 “PHONE Act of 2021”.

1 **SEC. 2. MORATORIUM ON NUMBER REASSIGNMENT AFTER**  
2 **DISASTER DECLARATION.**

3 (a) IN GENERAL.—Section 251(e) of the Commu-  
4 nications Act of 1934 (47 U.S.C. 251(e)) is amended by  
5 adding at the end the following:

6 “(5) MORATORIUM ON NUMBER REASSIGNMENT  
7 AFTER DISASTER DECLARATION.—

8 “(A) IN GENERAL.—In the case of a num-  
9 ber assigned to a subscriber for the provision of  
10 fixed wireline voice service at a location in a  
11 designated area during a covered period—

12 “(i) the number may not be reas-  
13 signed, except at the request of the sub-  
14 scriber; and

15 “(ii) the assignment of the number  
16 may not be rescinded or otherwise modi-  
17 fied, except at the request of the sub-  
18 scriber.

19 “(B) EXTENSION AT REQUEST OF SUB-  
20 SCRIBER.—During the covered period, at the  
21 request of a subscriber described in subpara-  
22 graph (A), the prohibition in subparagraph (A)  
23 shall be extended for the number for 1 year  
24 after the date on which the covered period ex-  
25 pires.

1                   “(C) SUBSCRIBER RIGHT TO CANCEL AND  
2 RESUBSCRIBE.—

3                   “(i) IN GENERAL.—In the case of a  
4 number described under subparagraph (A)  
5 or (B), if the subscriber assigned to such  
6 number demonstrates to the provider of  
7 the service (or, under subclause (II), any  
8 other provider of fixed wireline voice serv-  
9 ice that serves the local area) that the resi-  
10 dence where the number is located is inac-  
11 cessible or uninhabitable—

12                   “(I) the provider may not charge  
13 the subscriber an early termination or  
14 other fee in connection with the can-  
15 cellation of such service, if cancelled  
16 during the covered period or the ex-  
17 tension of the period described in sub-  
18 paragraph (B); and

19                   “(II) if the subscriber cancels the  
20 service during the covered period or  
21 the extension of the period described  
22 in subparagraph (B), the provider (or  
23 any other provider of fixed wireline  
24 voice service that serves the local  
25 area)—

1           “(aa) shall permit the sub-  
2           scriber to subscribe or resub-  
3           scribe, as the case may be, to  
4           fixed wireline voice service with  
5           the number at the residence or at  
6           a different residence (if such  
7           number is available in the loca-  
8           tion of such different residence);  
9           and

10           “(bb) may not charge the  
11           subscriber a connection fee or  
12           any other fee relating to the initi-  
13           ation of fixed wireline voice serv-  
14           ice.

15           “(ii) CANCELLATION WITHOUT DEM-  
16           ONSTRATION OF INACCESSIBILITY OR  
17           UNINHABITABILITY.—If a subscriber can-  
18           cels the provision of service assigned to a  
19           number described in subparagraph (A) or  
20           (B) and does not demonstrate to the pro-  
21           vider of such service that the residence  
22           where the number is located is inaccessible  
23           or uninhabitable as described under clause  
24           (i), the number is no longer subject to the

1 prohibition under subparagraph (A) or  
2 (B).

3 “(D) IDENTIFICATION ON COMMISSION  
4 WEBSITE.—The Commission shall publicly iden-  
5 tify on the website of the Commission each des-  
6 ignated area that is in a covered period, not  
7 later than 15 days after the submission of a  
8 public designation by a State under subpara-  
9 graph (E)(iii) with respect to such area. In  
10 identifying a designated area under subpara-  
11 graph (E)(iii), a State shall consult with pro-  
12 viders of fixed wireline voice service that serve  
13 such area and coordinate with the Federal  
14 Emergency Management Agency to reasonably  
15 limit the designated area to areas that have  
16 sustained covered damage.

17 “(E) DEFINITIONS.—In this paragraph:

18 “(i) COVERED DAMAGE.—The term  
19 ‘covered damage’ means, with respect to an  
20 area—

21 “(I) damage that renders resi-  
22 dences in such area inaccessible or un-  
23 inhabitable; or

1                   “(II) damage that otherwise re-  
2                   sults in the displacement of sub-  
3                   scribers from or within such area.

4                   “(ii) COVERED PERIOD.—The term  
5                   ‘covered period’ means a period that—

6                   “(I) begins on the date of a dec-  
7                   laration by the President of a major  
8                   disaster under section 401 of the Rob-  
9                   ert T. Stafford Disaster Relief and  
10                  Emergency Assistance Act (42 U.S.C.  
11                  5170) with respect to a designated  
12                  area; and

13                  “(II) ends on the date that is 1  
14                  year after such date.

15                  “(iii) DESIGNATED AREA.—The term  
16                  ‘designated area’ means a geographic area  
17                  for which a State has submitted a public  
18                  designation to the Commission, within 15  
19                  days after a declaration by the President  
20                  of a major disaster under section 401 of  
21                  the Robert T. Stafford Disaster Relief and  
22                  Emergency Assistance Act (42 U.S.C.  
23                  5170) with respect to such area, stipu-  
24                  lating that the State has determined  
25                  that—

1                   “(I) covered damage was sus-  
2                   tained in such area; and

3                   “(II) the prohibitions described  
4                   in this paragraph are necessary and  
5                   in the public interest.

6                   “(iv) VOICE SERVICE.—The term  
7                   ‘voice service’ has the meaning given the  
8                   term ‘voice service’ in section 227(e)(8).”.

9           (b) AMENDMENT OF FCC RULES REQUIRED.—Not  
10 later than 180 days after the date of the enactment of  
11 this Act, the Federal Communications Commission shall  
12 amend its rules to reflect the requirements of paragraph  
13 (5) of section 251(e) of the Communications Act of 1934  
14 (47 U.S.C. 251(e)), as added by subsection (a).

15           (c) APPLICABILITY.—Paragraph (5) of section 251(e)  
16 of the Communications Act of 1934 (47 U.S.C. 251(e)),  
17 as added by subsection (a), shall apply with respect to a  
18 major disaster declared by the President under section  
19 401 of the Robert T. Stafford Disaster Relief and Emer-  
20 gency Assistance Act (42 U.S.C. 5170) after the date that  
21 is 180 days after the date on which the Commission an-  
22 nounces that the Commission is capable of publicly identi-  
23 fying a designated area on the website of the Commission  
24 under subparagraph (D) of such paragraph (5).

1 (d) ORDER OF AMENDMENT EXECUTION.—If this  
2 Act is enacted before October 17, 2021, section 3(a) of  
3 the National Suicide Hotline Designation Act of 2020  
4 (Public Law 116–172) is amended, effective on the date  
5 of the enactment of this Act, by striking “adding at the  
6 end” and inserting “inserting after paragraph (3)”, so  
7 that the paragraph (4) that is to be added by such section  
8 to section 251(e) of the Communications Act of 1934 (47  
9 U.S.C. 251(e)) appears after paragraph (3) of such sec-  
10 tion 251(e) and before the paragraph (5) added to such  
11 section 251(e) by subsection (a) of this section.

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