

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7132
OFFERED BY MR. WALBERG OF MICHIGAN**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Safe Connections Act
3 of 2022”.

4 SEC. 2. DEFINITIONS.

5 Except as otherwise provided in this Act, terms used
6 in this Act that are defined in section 345(a) of the Com-
7 munications Act of 1934, as added by section 4 of this
8 Act, have the meanings given those terms in such section
9 345(a).

10 SEC. 3. FINDINGS.

11 Congress finds the following:

12 (1) Domestic violence, dating violence, stalking,
13 sexual assault, human trafficking, and related
14 crimes are life-threatening issues and have lasting
15 and harmful effects on individuals, families, and en-
16 tire communities.

17 (2) Survivors often lack meaningful support
18 and options when establishing independence from an

1 abuser, including barriers such as financial insecu-
2 rity and limited access to reliable communications
3 tools to maintain essential connections with family,
4 social safety networks, employers, and support serv-
5 ices.

6 (3) Perpetrators of violence and abuse described
7 in paragraph (1) increasingly use technological and
8 communications tools to exercise control over, mon-
9 itor, and abuse their victims.

10 (4) Communications law can play a public in-
11 terest role in the promotion of safety, life, and prop-
12 erty with respect to the types of violence and abuse
13 described in paragraph (1). For example, inde-
14 pendent access to a wireless phone plan can assist
15 survivors in establishing security and autonomy.

16 (5) Safeguards within communications services
17 can serve a role in preventing abuse and narrowing
18 the digital divide experienced by survivors of abuse.

19 **SEC. 4. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS**
20 **WITHIN COMMUNICATIONS SERVICES.**

21 Part I of title III of the Communications Act of 1934
22 (47 U.S.C. 301 et seq.) is amended by adding at the end
23 the following:

1 **“SEC. 345. PROTECTION OF SURVIVORS OF DOMESTIC VIO-**
2 **LENCE, HUMAN TRAFFICKING, AND RELATED**
3 **CRIMES.**

4 “(a) DEFINITIONS.—In this section:

5 “(1) ABUSER.—The term ‘abuser’ means an in-
6 dividual who has committed or allegedly committed
7 a covered act against—

8 “(A) an individual who seeks relief under
9 subsection (b); or

10 “(B) an individual in the care of an indi-
11 vidual who seeks relief under subsection (b).

12 “(2) COVERED ACT.—

13 “(A) IN GENERAL.—The term ‘covered act’
14 means conduct that constitutes—

15 “(i) a crime described in section
16 40002(a) of the Violence Against Women
17 Act of 1994 (34 U.S.C. 12291(a)), includ-
18 ing domestic violence, dating violence, sex-
19 ual assault, stalking, and sex trafficking;

20 “(ii) an act or practice described in
21 paragraph (11) or (12) of section 103 of
22 the Trafficking Victims Protection Act of
23 2000 (22 U.S.C. 7102) (relating to severe
24 forms of trafficking in persons and sex
25 trafficking, respectively); or

1 “(iii) an act under State law, Tribal
2 law, or the Uniform Code of Military Jus-
3 tice that is similar to an offense described
4 in clause (i) or (ii).

5 “(B) CONVICTION NOT REQUIRED.—Noth-
6 ing in subparagraph (A) shall be construed to
7 require a criminal conviction or any other deter-
8 mination of a court in order for conduct to con-
9 stitute a covered act.

10 “(3) COVERED PROVIDER.—The term ‘covered
11 provider’ means a provider of a private mobile serv-
12 ice or commercial mobile service, as those terms are
13 defined in section 332(d).

14 “(4) PRIMARY ACCOUNT HOLDER.—The term
15 ‘primary account holder’ means an individual who is
16 a party to a mobile service contract with a covered
17 provider.

18 “(5) SHARED MOBILE SERVICE CONTRACT.—
19 The term ‘shared mobile service contract’—

20 “(A) means a mobile service contract for
21 an account that includes not less than 2 con-
22 sumers; and

23 “(B) does not include enterprise services
24 offered by a covered provider.

1 “(6) SURVIVOR.—The term ‘survivor’ means an
2 individual who is not less than 18 years old and—

3 “(A) against whom a covered act has been
4 committed or allegedly committed; or

5 “(B) who cares for another individual
6 against whom a covered act has been committed
7 or allegedly committed (provided that the indi-
8 vidual providing care did not commit or alleg-
9 edly commit the covered act).

10 “(b) SEPARATION OF LINES FROM SHARED MOBILE
11 SERVICE CONTRACT.—

12 “(1) IN GENERAL.—Not later than 2 business
13 days after receiving a completed line separation re-
14 quest from a survivor pursuant to subsection (c), a
15 covered provider shall, as applicable, with respect to
16 a shared mobile service contract under which the
17 survivor and the abuser each use a line—

18 “(A) separate the line of the survivor, and
19 the line of any individual in the care of the sur-
20 vivor, from the shared mobile service contract;
21 or

22 “(B) separate the line of the abuser from
23 the shared mobile service contract.

24 “(2) LIMITATIONS ON PENALTIES, FEES, AND
25 OTHER REQUIREMENTS.—Except as provided in

1 paragraphs (5) through (7), a covered provider may
2 not make separation of a line from a shared mobile
3 service contract under paragraph (1) contingent on
4 any requirement other than the requirements under
5 subsection (c), including—

6 “(A) payment of a fee, penalty, or other
7 charge;

8 “(B) maintaining contractual or billing re-
9 sponsibility of a separated line with the pro-
10 vider;

11 “(C) approval of separation by the primary
12 account holder, if the primary account holder is
13 not the survivor;

14 “(D) a prohibition or limitation, including
15 one described in subparagraph (A), on number
16 portability, provided such portability is tech-
17 nically feasible, or a request to change phone
18 numbers;

19 “(E) a prohibition or limitation on the sep-
20 aration of lines as a result of arrears accrued
21 by the account;

22 “(F) an increase in the rate charged for
23 the mobile service plan of the primary account
24 holder with respect to service on any remaining
25 line or lines; or

1 “(G) any other limitation or requirement
2 not listed under subsection (c).

3 “(3) RULE OF CONSTRUCTION.—Nothing in
4 paragraph (2) shall be construed to require a cov-
5 ered provider to provide a rate plan for the primary
6 account holder that is not otherwise commercially
7 available.

8 “(4) REMOTE OPTION.—A covered provider
9 shall offer a survivor the ability to submit a line sep-
10 aration request under subsection (c) through secure
11 remote means that are easily navigable, provided
12 that remote options are commercially available and
13 technically feasible.

14 “(5) RESPONSIBILITY FOR TRANSFERRED
15 TELEPHONE NUMBERS.—Notwithstanding para-
16 graph (2), beginning on the date on which a covered
17 provider transfers billing responsibilities for and use
18 of a telephone number or numbers to a survivor
19 under paragraph (1)(A) in response to a line separa-
20 tion request submitted by the survivor under sub-
21 section (c), unless ordered otherwise by a court, the
22 survivor shall assume financial responsibility, includ-
23 ing for monthly service costs, for the transferred
24 telephone number or numbers.

1 “(6) RESPONSIBILITY FOR TRANSFERRED
2 TELEPHONE NUMBERS FROM A SURVIVOR’S AC-
3 COUNT.—Notwithstanding paragraph (2), upon the
4 transfer of a telephone number under paragraph
5 (1)(B) in response to a line separation request sub-
6 mitted by a survivor under subsection (c), the sur-
7 vivor shall have no further financial responsibilities
8 to the transferring covered provider for the services
9 provided by the transferring covered provider for the
10 telephone number or for any mobile device associ-
11 ated with the telephone number.

12 “(7) RESPONSIBILITY FOR MOBILE DEVICE.—
13 Notwithstanding paragraph (2), beginning on the
14 date on which a covered provider transfers billing re-
15 sponsibilities for and rights to a telephone number
16 or numbers to a survivor under paragraph (1)(A) in
17 response to a line separation request submitted by
18 the survivor under subsection (c), unless otherwise
19 ordered by a court, the survivor shall not assume fi-
20 nancial responsibility for any mobile device associ-
21 ated with the separated line, unless the survivor pur-
22 chased the mobile device, or affirmatively elects to
23 maintain possession of the mobile device.

24 “(8) NOTICE TO SURVIVOR.—If a covered pro-
25 vider separates a line from a shared mobile service

1 contract under paragraph (1) and the primary ac-
2 count holder is not the survivor, the covered provider
3 shall notify the survivor of the date on which the
4 covered provider intends to give any formal notice to
5 the primary account holder.

6 “(c) LINE SEPARATION REQUEST.—

7 “(1) IN GENERAL.—In the case of a survivor
8 seeking to separate a line from a shared mobile serv-
9 ice contract, the survivor shall submit to the covered
10 provider a line separation request that—

11 “(A) verifies that an individual who uses a
12 line under the shared mobile service contract
13 has committed or allegedly committed a covered
14 act against the survivor or an individual in the
15 survivor’s care, by providing—

16 “(i) a copy of a signed affidavit from
17 a licensed medical or mental health care
18 provider, licensed military medical or men-
19 tal health care provider, licensed social
20 worker, victim services provider, or licensed
21 military victim services provider, or an em-
22 ployee of a court, acting within the scope
23 of that person’s employment; or

24 “(ii) a copy of a police report, state-
25 ments provided by police, including mili-

1 tary police, to magistrates or judges,
2 charging documents, protective or restrain-
3 ing orders, military protective orders, or
4 any other official record that documents
5 the covered act;

6 “(B) in the case of relief sought under
7 subsection (b)(1)(A), with respect to—

8 “(i) a line used by the survivor that
9 the survivor seeks to have separated, states
10 that the survivor is the user of that spe-
11 cific line; and

12 “(ii) a line used by an individual in
13 the care of the survivor that the survivor
14 seeks to have separated, includes an affi-
15 davit setting forth that the individual—

16 “(I) is in the care of the survivor;
17 and

18 “(II) is the user of that specific
19 line; and

20 “(C) requests relief under subparagraph
21 (A) or (B) of subsection (b)(1) and identifies
22 each line that should be separated.

23 “(2) COMMUNICATIONS FROM COVERED PRO-
24 VIDERS.—

1 “(A) IN GENERAL.—A covered provider
2 shall notify a survivor seeking relief under sub-
3 section (b) in clear and accessible language that
4 the covered provider may contact the survivor,
5 or designated representative of the survivor, to
6 confirm the line separation, or if the covered
7 provider is unable to complete the line separa-
8 tion for any reason, pursuant to subparagraphs
9 (B) and (C).

10 “(B) REMOTE MEANS.—A covered provider
11 shall notify a survivor under subparagraph (A)
12 through remote means, provided that remote
13 means are commercially available and tech-
14 nically feasible.

15 “(C) ELECTION OF MANNER OF CON-
16 TACT.—When completing a line separation re-
17 quest submitted by a survivor through remote
18 means under paragraph (1), a covered provider
19 shall allow the survivor to elect in the manner
20 in which the covered provider may—

21 “(i) contact the survivor, or des-
22 ignated representative of the survivor, in
23 response to the request, if necessary; or

24 “(ii) notify the survivor, or designated
25 representative of the survivor, of the inabil-

1 ity of the covered provider to complete the
2 line separation.

3 “(3) ENHANCED PROTECTIONS UNDER STATE
4 LAW.—This subsection shall not affect any law or
5 regulation of a State providing communications pro-
6 tections for survivors (or any similar category of in-
7 dividuals) that has less stringent requirements for
8 providing evidence of a covered act (or any similar
9 category of conduct) than this subsection.

10 “(d) CONFIDENTIAL AND SECURE TREATMENT OF
11 PERSONAL INFORMATION.—

12 “(1) IN GENERAL.—Notwithstanding section
13 222(c)(2), a covered provider and any officer, direc-
14 tor, employee, vendor, or agent thereof shall treat
15 any information submitted by a survivor under sub-
16 section (c) as confidential and securely dispose of
17 the information not later than 90 days after receiv-
18 ing the information.

19 “(2) RULE OF CONSTRUCTION.—Nothing in
20 paragraph (1) shall be construed to prohibit a cov-
21 ered provider from maintaining, for longer than the
22 period specified in that paragraph, a record that
23 verifies that a survivor fulfilled the conditions of a
24 line separation request under subsection (c).

1 “(e) AVAILABILITY OF INFORMATION TO CON-
2 SUMERS.—A covered provider shall make information
3 about the options and process described in subsections (b)
4 and (c) readily available to consumers—

5 “(1) on the website and the mobile application
6 of the provider;

7 “(2) in physical stores; and

8 “(3) in other forms of public-facing consumer
9 communication.

10 “(f) TECHNICAL INFEASIBILITY.—

11 “(1) IN GENERAL.—The requirement to effec-
12 tuate a line separation request pursuant to sub-
13 section (b)(1) shall not apply to a covered provider
14 if the covered provider cannot operationally or tech-
15 nically effectuate the request.

16 “(2) NOTIFICATION.—If a covered provider can-
17 not operationally or technically effectuate a line sep-
18 aration request as described in paragraph (1), the
19 covered provider shall—

20 “(A) notify the survivor who submitted the
21 request of that infeasibility—

22 “(i) at the time of the request; or

23 “(ii) in the case of a survivor who has
24 submitted the request using remote means,

1 not later than 2 business days after receiv-
2 ing the request; and

3 “(B) provide the survivor with information
4 about other alternatives to submitting a line
5 separation request, including starting a new
6 line of service.

7 “(g) LIABILITY PROTECTION.—

8 “(1) IN GENERAL.—A covered provider and any
9 officer, director, employee, vendor, or agent thereof
10 shall not be subject to liability for any claims deriv-
11 ing from an action taken or omission made with re-
12 spect to compliance with this section and the rules
13 adopted to implement this section.

14 “(2) COMMISSION AUTHORITY.—Nothing in this
15 subsection shall limit the authority of the Commis-
16 sion to enforce this section or any rules or regula-
17 tions promulgated by the Commission pursuant to
18 this section.”.

19 **SEC. 5. RULEMAKING ON PROTECTIONS FOR SURVIVORS**
20 **OF DOMESTIC VIOLENCE.**

21 (a) DEFINITIONS.—In this section—

22 (1) the term “Affordable Connectivity Pro-
23 gram” means the program established under section
24 904(b) of division N of the Consolidated Appropria-
25 tions Act, 2021 (Public Law 116–260), as amended

1 by section 60502 of the Infrastructure Investment
2 and Jobs Act (Public Law 117–58), or any suc-
3 cessor program;

4 (2) the term “appropriate congressional com-
5 mittees” means the Committee on Commerce,
6 Science, and Transportation of the Senate and the
7 Committee on Energy and Commerce of the House
8 of Representatives;

9 (3) the term “Commission” means the Federal
10 Communications Commission;

11 (4) the term “covered hotline” means a hotline
12 related to domestic violence, dating violence, sexual
13 assault, stalking, sex trafficking, severe forms of
14 trafficking in persons, or any other similar act;

15 (5) the term “designated program” means the
16 program designated by the Commission under sub-
17 section (b)(2)(A)(i) to provide emergency commu-
18 nications support to survivors;

19 (6) the term “Lifeline program” means the pro-
20 gram set forth in subpart E of part 54 of title 47,
21 Code of Federal Regulations (or any successor regu-
22 lation);

23 (7) the term “text message” has the meaning
24 given the term in section 227(e)(8) of the Commu-
25 nications Act of 1934 (47 U.S.C. 227(e)(8)); and

1 (8) the term “voice service” has the meaning
2 given such term in section 4(a) of the Pallone-Thune
3 Telephone Robocall Abuse Criminal Enforcement
4 and Deterrence Act (47 U.S.C. 227b(a)).

5 (b) RULEMAKINGS.—

6 (1) LINE SEPARATIONS.—

7 (A) IN GENERAL.—Not later than 18
8 months after the date of enactment of this Act,
9 the Commission shall adopt rules to implement
10 section 345 of the Communications Act of
11 1934, as added by section 4 of this Act.

12 (B) CONSIDERATIONS.—In adopting rules
13 under subparagraph (A), the Commission shall
14 consider—

15 (i) privacy protections;

16 (ii) account security and fraud detec-
17 tion;

18 (iii) account billing procedures;

19 (iv) procedures for notification of sur-
20 vivors about line separation processes;

21 (v) notice to primary account holders;

22 (vi) situations in which a covered pro-
23 vider cannot operationally or technically
24 separate a telephone number or numbers
25 from a shared mobile service contract such

1 that the provider cannot effectuate a line
2 separation request;

3 (vii) the requirements for remote sub-
4 mission of a line separation request, in-
5 cluding how that option facilitates submis-
6 sion of verification information and meets
7 the other requirements of section 345 of
8 the Communications Act of 1934, as added
9 by section 4 of this Act;

10 (viii) feasibility of remote options for
11 small covered providers;

12 (ix) implementation timelines, includ-
13 ing those for small covered providers;

14 (x) financial responsibility for trans-
15 ferred telephone numbers;

16 (xi) whether and how the survivor can
17 affirmatively elect to take financial respon-
18 sibility for the mobile device associated
19 with the separated line;

20 (xii) compliance with subpart U of
21 part 64 of title 47, Code of Federal Regu-
22 lations, or any successor regulations (relat-
23 ing to customer proprietary network infor-
24 mation) or any other legal or law enforce-
25 ment requirements; and

1 (xiii) ensuring covered providers have
2 the necessary account information to com-
3 ply with the rules and with section 345 of
4 the Communications Act of 1934, as added
5 by section 4 of this Act.

6 (2) EMERGENCY COMMUNICATIONS SUPPORT
7 FOR SURVIVORS.—

8 (A) IN GENERAL.—Not later than 18
9 months after the date of enactment of this Act,
10 or as part of a general rulemaking proceeding
11 relating to the Lifeline program or the Afford-
12 able Connectivity Program, whichever occurs
13 earlier, the Commission shall adopt rules that—

14 (i) designate a single program, which
15 shall be either the Lifeline program or the
16 Affordable Connectivity Program, to pro-
17 vide emergency communications support to
18 survivors in accordance with this para-
19 graph; and

20 (ii) allow a survivor who is suffering
21 from financial hardship and meets the re-
22 quirements under section 345(e)(1) of the
23 Communications Act of 1934, as added by
24 section 4 of this Act, without regard to
25 whether the survivor meets the otherwise

1 applicable eligibility requirements of the
2 designated program, to—

3 (I) enroll in the designated pro-
4 gram as quickly as is feasible; and

5 (II) participate in the designated
6 program based on such qualifications
7 for not more than 6 months.

8 (B) CONSIDERATIONS.—In adopting rules
9 under subparagraph (A), the Commission shall
10 consider—

11 (i) how survivors who are eligible for
12 relief and elected to separate a line under
13 section 345(c)(1) of the Communications
14 Act of 1934, as added by section 4 of this
15 Act, but whose lines could not be separated
16 due to operational or technical infeasibility,
17 can participate in the designated program;
18 and

19 (ii) confidentiality in the transfer and
20 retention of any necessary documentation
21 regarding the eligibility of a survivor to en-
22 roll in the designated program.

23 (C) EVALUATION.—Not later than 2 years
24 after completing the rulemaking under subpara-
25 graph (A), the Commission shall—

1 (i) evaluate the effectiveness of the
2 Commission's provision of support to sur-
3 vivors through the designated program;

4 (ii) assess the detection and elimi-
5 nation of fraud, waste, and abuse with re-
6 spect to the support described in clause (i);
7 and

8 (iii) submit to the appropriate con-
9 gressional committees a report that in-
10 cludes the evaluation and assessment de-
11 scribed in clauses (i) and (ii), respectively.

12 (D) RULE OF CONSTRUCTION.—Nothing in
13 this paragraph shall be construed to limit the
14 ability of a survivor who meets the require-
15 ments under section 345(c)(1) of the Commu-
16 nications Act of 1934, as added by section 4 of
17 this Act, to participate in the designated pro-
18 gram indefinitely if the survivor otherwise quali-
19 fies for the designated program under the rules
20 of the designated program.

21 (E) NOTIFICATION.—A covered provider
22 that receives a line separation request pursuant
23 to section 345 of the Communications Act of
24 1934, as added by section 4 of this Act, shall

1 inform the survivor who submitted the request
2 of—

3 (i) the existence of the designated pro-
4 gram;

5 (ii) who qualifies to participate in the
6 designated program under the rules adopt-
7 ed under subparagraph (A) that are spe-
8 cially applicable to survivors; and

9 (iii) how to participate in the des-
10 ignated program under the rules described
11 in clause (ii).

12 (3) HOTLINE CALLS.—

13 (A) IN GENERAL.—Not later than 180
14 days after the date of enactment of this Act,
15 the Commission shall commence a rulemaking
16 proceeding to consider whether to, and how the
17 Commission should—

18 (i) establish, and update on a monthly
19 basis, a central database of covered hot-
20 lines to be used by a covered provider or
21 a wireline provider of voice service; and

22 (ii) require a covered provider or a
23 wireline provider of voice service to omit
24 from consumer-facing logs of calls or text
25 messages any records of calls or text mes-

1 sages to covered hotlines in the central
2 database described in clause (i), while
3 maintaining internal records of those calls
4 and messages.

5 (B) CONSIDERATIONS.—The rulemaking
6 conducted under subparagraph (A) shall include
7 consideration of—

8 (i) the ability of law enforcement
9 agencies or survivors to access a log of
10 calls or text messages in a criminal inves-
11 tigation or civil proceeding;

12 (ii) the ability of a covered provider or
13 a wireline provider of voice service to—

14 (I) identify logs that are con-
15 sumer-facing; and

16 (II) omit certain consumer-facing
17 logs, while maintaining internal
18 records of such calls and text mes-
19 sages; and

20 (iii) any other factors associated with
21 the implementation of clauses (i) and (ii)
22 to protect survivors, including factors that
23 may impact smaller providers.

1 (C) NO EFFECT ON LAW ENFORCEMENT.—
2 Nothing in subparagraph (A) shall be construed
3 to—

4 (i) limit or otherwise affect the ability
5 of a law enforcement agency to access a
6 log of calls or text messages in a criminal
7 investigation; or

8 (ii) alter or otherwise expand provider
9 requirements under the Communications
10 Assistance for Law Enforcement Act (Pub-
11 lic Law 103–414; 108 Stat. 4279) or the
12 amendments made by that Act.

13 (D) COMPLIANCE.—If the Commission es-
14 tablishes a central database through the rule-
15 making under subparagraph (A) and a covered
16 provider updates its own databases to match
17 the central database not less frequently than
18 once every 30 days, no cause of action shall lie
19 or be maintained in any court against the cov-
20 ered provider or its officers, employees, or
21 agents for claims deriving from omission from
22 consumer-facing logs of calls or text messages
23 of any records of calls or text messages to cov-
24 ered hotlines in the central database.

1 **SEC. 6. EFFECTIVE DATE.**

2 The requirements under section 345 of the Commu-
3 nications Act of 1934, as added by section 4 of this Act,
4 shall take effect 60 days after the date on which the Fed-
5 eral Communications Commission adopts the rules imple-
6 menting that section pursuant to section 5(b)(1) of this
7 Act.

8 **SEC. 7. SAVINGS CLAUSE.**

9 Nothing in this Act or the amendments made by this
10 Act shall be construed to abrogate, limit, or otherwise af-
11 fect the provisions set forth in the Communications Assist-
12 ance for Law Enforcement Act (Public Law 103–414; 108
13 Stat. 4279) and the amendments made by that Act, any
14 authority granted to the Federal Communications Com-
15 mission pursuant to that Act or the amendments made
16 by that Act, or any regulations promulgated by the Fed-
17 eral Communications Commission pursuant to that Act or
18 the amendments made by that Act.

