

115TH CONGRESS  
1ST SESSION

# S. 96

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.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 11, 2017

Ms. KLOBUCHAR (for herself, Mr. THUNE, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## 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 2017”.

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

3 Part II of title II of the Communications Act of 1934  
 4 (47 U.S.C. 251 et seq.) is amended by adding at the end  
 5 the following:

6 **“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMU-**  
 7 **NICATIONS.**

8 “(a) **REGISTRATION AND COMPLIANCE BY INTER-**  
 9 **MEDIATE PROVIDERS.**—An intermediate provider that of-  
 10 fers or holds itself out as offering the capability to trans-  
 11 mit covered voice communications from one destination to  
 12 another and that charges any rate to any other entity (in-  
 13 cluding an affiliated entity) for the transmission shall—

14 “(1) register with the Commission; and

15 “(2) comply with the service quality standards  
 16 for such transmission to be established by the Com-  
 17 mission under subsection (c)(1)(B).

18 “(b) **REQUIRED USE OF REGISTERED INTER-**  
 19 **MEDIATE PROVIDERS.**—A covered provider may not use  
 20 an intermediate provider to transmit covered voice com-  
 21 munications unless such intermediate provider is reg-  
 22 istered under subsection (a)(1).

23 “(c) **COMMISSION RULES.**—

24 “(1) **IN GENERAL.**—

25 “(A) **REGISTRY.**—Not later than 180 days  
 26 after the date of enactment of this section, the

1 Commission shall promulgate rules to establish  
2 a registry to record registrations under sub-  
3 section (a)(1).

4 “(B) SERVICE QUALITY STANDARDS.—Not  
5 later than 1 year after the date of enactment of  
6 this section, the Commission shall promulgate  
7 rules to establish service quality standards for  
8 the transmission of covered voice communica-  
9 tions by intermediate providers.

10 “(2) REQUIREMENTS.—In promulgating the  
11 rules required by paragraph (1), the Commission  
12 shall—

13 “(A) ensure the integrity of the trans-  
14 mission of covered voice communications to all  
15 customers in the United States; and

16 “(B) prevent unjust or unreasonable dis-  
17 crimination among areas of the United States  
18 in the delivery of covered voice communications.

19 “(d) PUBLIC AVAILABILITY OF REGISTRY.—The  
20 Commission shall make the registry established under sub-  
21 section (c)(1)(A) publicly available on the website of the  
22 Commission.

23 “(e) SCOPE OF APPLICATION.—The requirements of  
24 this section shall apply regardless of the format by which  
25 any communication or service is provided, the protocol or

1 format by which the transmission of such communication  
2 or service is achieved, or the regulatory classification of  
3 such communication or service.

4 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-  
5 tion shall be construed to affect the regulatory classifica-  
6 tion of any communication or service.

7 “(g) EFFECT ON OTHER LAWS.—Nothing in this sec-  
8 tion shall be construed to preempt or expand the authority  
9 of a State public utility commission or other relevant State  
10 agency to collect data, or investigate and enforce State  
11 law and regulations, regarding the completion of intra-  
12 state voice communications, regardless of the format by  
13 which any communication or service is provided, the pro-  
14 tocol or format by which the transmission of such commu-  
15 nication or service is achieved, or the regulatory classifica-  
16 tion of such communication or service.

17 “(h) EXCEPTION.—The requirement under sub-  
18 section (a)(2) to comply with the service quality standards  
19 established under subsection (c)(1)(B) shall not apply to  
20 a covered provider that—

21 “(1) on or before the date that is 1 year after  
22 the date of enactment of this section, has certified  
23 as a Safe Harbor provider under section 64.2107(a)  
24 of title 47, Code of Federal Regulations, or any suc-  
25 cessor regulation; and

1           “(2) continues to meet the requirements under  
2 such section 64.2107(a).

3           “(i) DEFINITIONS.—In this section:

4           “(1) COVERED PROVIDER.—The term ‘covered  
5 provider’ has the meaning given the term in section  
6 64.2101 of title 47, Code of Federal Regulations, or  
7 any successor thereto.

8           “(2) COVERED VOICE COMMUNICATION.—The  
9 term ‘covered voice communication’ means a voice  
10 communication (including any related signaling in-  
11 formation) that is generated—

12           “(A) from the placement of a call from a  
13 connection using a North American Numbering  
14 Plan resource or a call placed to a connection  
15 using such a numbering resource; and

16           “(B) through any service provided by a  
17 covered provider.

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

20           “(A) enters into a business arrangement  
21 with a covered provider or other intermediate  
22 provider for the specific purpose of carrying,  
23 routing, or transmitting voice traffic that is  
24 generated from the placement of a call placed—

1                   “(i) from an end user connection  
2                   using a North American Numbering Plan  
3                   resource; or

4                   “(ii) to an end user connection using  
5                   such a numbering resource; and

6                   “(B) does not itself, either directly or in  
7                   conjunction with an affiliate, serve as a covered  
8                   provider in the context of originating or termi-  
9                   nating a given call.”.

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