

Amy Klobuchar

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 2204

To allow the Federal Communications Commission to carry out a pilot program under which voice service providers could block certain automated calls, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. KLOBUCHAR

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Data Analytics
5 Robocall Technology Act of 2019” or the “DART Act of
6 2019”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act—

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

1 (2) the term “covered ruling” means the “De-
2 claratory Ruling and Third Further Notice of Pro-
3 posed Rulemaking in the matter of Advanced Meth-
4 ods to Target and Eliminate Unlawful Robocalls”,
5 adopted by the Commission on June 6, 2019 (FCC
6 19–51; CG Docket No. 17–59);

7 (3) the term “public safety answering point”
8 has the meaning given the term in section 222(h) of
9 the Communications Act of 1934 (47 U.S.C.
10 222(h)); and

11 (4) the term “voice service” means any service
12 that—

13 (A) is interconnected with the public
14 switched telephone network; and

15 (B) furnishes voice communications to an
16 end user using resources from the North Amer-
17 ican Numbering Plan or any successor to the
18 North American Numbering Plan adopted by
19 the Commission under section 251(e)(1) of the
20 Communications Act of 1934 (47 U.S.C.
21 251(e)(1)).

22 **SEC. 3. RULEMAKING.**

23 Not later than 18 months after the date of enactment
24 of this Act, the Commission shall initiate a rulemaking
25 to consider establishing a process under which the Com-

1 mission shall maintain a list of numbers that are not eligi-
2 ble to be blocked by a voice service provider, which may
3 include a number used—

4 (1) for outgoing calls by a public safety answer-
5 ing point or a similar facility that is designated to
6 originate or route emergency calls;

7 (2) to originate calls from a government entity,
8 such as a call generated during an emergency;

9 (3) by a school, or a similar institution, to pro-
10 vide school-related notifications, such as a notifica-
11 tion regarding—

12 (A) a weather-related closure; or

13 (B) the existence of an emergency affect-
14 ing a school or students attending a school; and

15 (4) for similar or emergency purposes, as deter-
16 mined appropriate by the Commission.

17 **SEC. 4. REPORTS ON DEPLOYMENT AND IMPLEMENTATION**
18 **OF CALL BLOCKING AND CALLER ID AUTHEN-**
19 **TICATION.**

20 Not later than 180 days after the date on which the
21 Commission receives any report under paragraph 90 of the
22 covered ruling, the Commission shall submit to the Com-
23 mittee on Commerce, Science, and Transportation of the
24 Senate and the Committee on Energy and Commerce of
25 the House of Representatives—

1 (1) an analysis by the Commission with respect
2 to the effectiveness of various categories of call
3 blocking tools, as evaluated in the report; and

4 (2) any legislative recommendations of the
5 Commission relating to the report.

6 **SEC. 5. RULE OF CONSTRUCTION.**

7 Nothing in this Act may be construed to impede or
8 delay the analysis by the Commission of the most effective
9 means by which to maintain and administer a list of num-
10 bers that may not be blocked (referred to in the covered
11 ruling as a “Critical Calls List”), as considered in the cov-
12 ered ruling.