



AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.**S. 827**

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.

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 fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Rural Call
5 Quality and Reliability Act of 2016”.

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

8 Part II of title II of the Communications Act of 1934
9 (47 U.S.C. 251 et seq.) is amended by adding at the end
10 the following:

1 **“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMU-**
2 **NICATIONS.**

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

9 **“(1) register with the Commission; and**

10 **“(2) comply with the service quality standards**
11 **for such transmission to be established by the Com-**
12 **mission under subsection (c)(1)(B).**

13 **“(b) REQUIRED USE OF REGISTERED INTER-**
14 **MEDIATE PROVIDERS.—**A covered provider may not use
15 an intermediate provider to transmit covered voice com-
16 munications unless such intermediate provider is reg-
17 istered under subsection (a)(1).

18 **“(c) COMMISSION RULES.—**

19 **“(1) IN GENERAL.—**

20 **“(A) REGISTRY.—**Not later than 180 days
21 after the date of enactment of this section, the
22 Commission shall promulgate rules to establish
23 a registry to record registrations under sub-
24 section (a)(1).

25 **“(B) SERVICE QUALITY STANDARDS.—**Not
26 later than 1 year after the date of enactment of

1 this section, the Commission shall promulgate
2 rules to establish service quality standards for
3 the transmission of covered voice communica-
4 tions by intermediate providers.

5 “(2) REQUIREMENTS.—In promulgating the
6 rules required by paragraph (1), the Commission
7 shall—

8 “(A) ensure the integrity of the trans-
9 mission of covered voice communications to all
10 customers in the United States; and

11 “(B) prevent unjust or unreasonable dis-
12 crimination among areas of the United States
13 in the delivery of covered voice communications.

14 “(d) PUBLIC AVAILABILITY OF REGISTRY.—The
15 Commission shall make the registry established under sub-
16 section (c)(1)(A) publicly available on the website of the
17 Commission.

18 “(e) SCOPE OF APPLICATION.—The requirements of
19 this section shall apply regardless of the format by which
20 any communication or service is provided, the protocol or
21 format by which the transmission of such communication
22 or service is achieved, or the regulatory classification of
23 such communication or service.

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

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

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

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

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

25 “(i) **DEFINITIONS.**—In this section:

1 “(1) COVERED PROVIDER.—The term ‘covered
2 provider’ has the meaning given the term in section
3 64.2101 of title 47, Code of Federal Regulations, or
4 any successor thereto.

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

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

13 “(B) through any service provided by a
14 covered provider.

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

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

22 “(i) from an end user connection
23 using a North American Numbering Plan
24 resource; or

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

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