

Calendar No. 276

113TH CONGRESS
1ST SESSION

S. RES. 157

[Report No. 113-130]

Expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Ms. KLOBUCHAR (for herself, Mr. JOHNSON of South Dakota, Mrs. FISCHER, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Mrs. BOXER, Mr. PRYOR, Mr. GRASSLEY, Mr. BOOZMAN, Mr. ENZI, Ms. BALDWIN, Mr. THUNE, Mr. HARKIN, Mr. FRANKEN, Mr. ROBERTS, Ms. CANTWELL, Mr. HOEVEN, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation

DECEMBER 19, 2013

Reported by Mr. ROCKEFELLER, with an amendment

[Strike out all after the resolving clause and insert the part printed in *italic*]

RESOLUTION

Expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

Whereas all people in the United States rely on quality, efficient, and dependable telephone service in many aspects

of life, including conducting business, securing the safety of the public, and connecting families;

Whereas multiple surveys conducted by the National Exchange Carrier Association revealed that complaints of uncompleted telephone calls persist, with the most recent survey in October 2012 indicating a 41 percent increase in uncompleted calls between March and September of the same year;

Whereas the National Exchange Carrier Association and rural telecommunications carriers in April 2012 supplied information that—

(1) 6.4 percent of calls to rural areas failed, but only 0.5 percent of calls to urban areas failed; and

(2) 11 percent of calls to rural areas were either poor quality or were delayed, compared to only 5 percent in urban areas;

Whereas the Federal Communications Commission was made aware of an issue regarding telephone service connection in rural areas in November 2010 and has since issued a declaratory ruling and a notice of proposed rulemaking with respect to the issue and has reached a settlement with one telecommunications carrier;

Whereas, in a declaratory ruling in February 2012, the Federal Communications Commission made it clear that blocking or otherwise restricting telephone service is a violation of section 201(b) of the Communications Act of 1934 (47 U.S.C. 201(b)), which prohibits unjust or unreasonable practices, and section 202(a) of that Act (47 U.S.C. 202(a)), which outlines the duty of a telecommunications carrier to refrain from discrimination;

Whereas actions by the Federal Communications Commission have not significantly decreased the prevalence of telephone calls being rerouted by telecommunications carriers and some States are seeing an increase in complaints as of April 2013;

Whereas telephone communications are vital to keeping rural areas of the United States competitive in the economy, and a low rate of telephone call completion results in economic injury to rural businesses, including farmers, trucking companies, and suppliers who have seen thousands of dollars in business lost when telephone calls are not completed;

Whereas the safety of the public is at risk from a lack of quality telephone communications, including 911 services;

Whereas schools depend on telephone calls to notify students and parents of emergencies, and health care centers depend on telecommunications services to save lives and to communicate with rural patients;

Whereas small, local telecommunications carriers are losing valuable, multi-line business subscribers because of a lack of quality telecommunications services, which is financially detrimental to those carriers and adversely affects the rural communities served by those carriers; and

Whereas it may cost a telecommunications carrier serving a rural area hundreds of dollars to investigate each complaint of an uncompleted telephone call: Now, therefore, be it

1 *Resolved, That it is the sense of the Senate that—*

1 (1) all providers must appropriately complete
2 calls to all areas of the United States regardless of
3 the technology used by the providers;

4 (2) no entity may unreasonably discriminate
5 against telephone users in rural areas of the United
6 States; and

7 (3) the Federal Communications Commission
8 should—

9 (A) aggressively pursue those that violate
10 the rules of the Federal Communications Com-
11 mission and create these problems; and impose
12 swift and meaningful enforcement actions to
13 discourage—

14 (i) practices leading to telephone calls
15 not being completed in rural areas of the
16 United States; and

17 (ii) unreasonable discrimination
18 against telephone users in rural areas of
19 the United States; and

20 (B) move forward with clear, comprehen-
21 sive, and enforceable actions in order to estab-
22 lish a robust and definitive solution to discrimi-
23 nation against telephone users in rural areas of
24 the United States.

25

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2 *(1) all providers must appropriately complete*
3 *calls to all areas of the United States regardless of the*
4 *technology used by the providers;*

5 *(2) no entity may unreasonably discriminate*
6 *against communications service in rural areas of the*
7 *United States; and*

8 *(3) the Federal Communications Commission*
9 *should—*

10 *(A) aggressively pursue those that violate*
11 *the rules of the Federal Communications Com-*
12 *mission and create these problems, and impose*
13 *swift and meaningful enforcement actions to dis-*
14 *courage—*

15 *(i) practices leading to telephone calls*
16 *not being completed in rural areas of the*
17 *United States; and*

18 *(ii) unreasonable discrimination*
19 *against communications service in rural*
20 *areas of the United States; and*

21 *(B) move forward with clear, comprehen-*
22 *sive, and enforceable actions in order to establish*
23 *a robust and definitive solution to discrimina-*
24 *tion against communications service in rural*
25 *areas of the United States.*

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