

105TH CONGRESS
1ST SESSION

H. R. 2112

To amend the Communications Act of 1934 to increase the forfeiture penalty for telephone service slamming and to require providers of such service to report slamming incidents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 1997

Mr. FRANKS of New Jersey (for himself, Mr. DEFAZIO, Mr. OBERSTAR, Mr. CLEMENT, and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Communications Act of 1934 to increase the forfeiture penalty for telephone service slamming and to require providers of such service to report slamming incidents, and for other purposes.

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 “Telephone Slamming
5 Prevention and Internet Connection Act”.

1 **SEC. 2. INCREASED FORFEITURE PENALTY AND SUPPORT**

2 **FOR UNIVERSAL SERVICE.**

3 Section 503(b)(2)(B) of the Telecommunications Act

4 of 1937 (47 U.S.C. 503(b)(2)(B)) is amended—

5 (1) by striking “(B) If” and inserting “(B)(i)

6 Except as provided in clause (ii), if”; and

7 (2) by adding at the end the following new

8 clause:

9 “(ii)(I) In the case only of any common carrier sub-
10 ject to the provisions of this Act who willfully or repeatedly
11 fails to comply with section 258 or the verification proce-
12 dures prescribed pursuant to subsection (a) of such sec-
13 tion, clause (i) of this subparagraph shall be applied by
14 substituting—

15 “(aa) ‘\$200,000’ for ‘\$100,000’; and

16 “(bb) ‘\$2,000,000’ for ‘\$1,000,000’.

17 “(II) Notwithstanding section 504(a), any forfeitures
18 pursuant to subclause (I) shall be payable to the Adminis-
19 trator (as such term is defined in section 54.5 of the Com-
20 mission’s regulations (47 CFR 54.5)) for use only in pro-
21 viding Federal universal service support for schools and
22 libraries and for health care providers in accordance with
23 subparts F and G, respectively, of part 54 of the Commis-
24 sion’s regulations (47 CFR part 54).”.

1 **SEC. 3. REPORTING OF SLAMMING INCIDENTS.**

2 Section 258 of the Communications Act of 1934 (47
3 U.S.C. 258) is amended by adding at the end the following
4 new subsection:

5 “(c) REPORTING.—The Commission shall, by regula-
6 tion, require each telecommunications carrier to report
7 regularly to the Commission regarding each incident, of
8 which the carrier has knowledge or has received a com-
9 plaint, of a change in a subscriber’s selection of a provider
10 of telephone exchange service or telephone toll service
11 without the authorization of the subscriber. The regula-
12 tions shall require the reporting of information sufficient
13 to identify the incident, including the service affected, the
14 subscriber, the carriers from which and to which service
15 was changed, and the approximate date of the change. The
16 Commission shall make bona fide efforts to enter into
17 agreements with State commissions concerning reciprocal
18 reporting of such incidents.”.

