

together with this particular piece of legislation.

Mr. Speaker, I encourage a “yes” vote on the rule and the previous question.

The material previously referred to by Mr. WOODALL is as follows:

AMENDMENT TO H. RES. 739

At the end of the resolution, add the following:

SEC. 3. The House being in possession of the official papers, the managers on the part of the House at the conference on the disagreeing votes of the two Houses on S. 1790 shall be, and they are hereby, discharged. It shall then be in order without intervention of any point of order for the chair of the Committee on Armed Services or his designee, after consultation with the ranking minority member of the Committee on Armed Services, to move that the House recede from its amendment and agree to an amendment to the Senate bill (S. 1790). The motion shall be considered as read. The previous question shall be considered as ordered on the motion to adoption without intervening motion or demand for division of the question except for one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

Mr. PERLMUTTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on the postponed question at a later time.

PALLONE-THUNE TELEPHONE ROBOCALL ABUSE CRIMINAL ENFORCEMENT AND DETERRENCE ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 151) to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 151

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act” or the “Pallone-Thune TRACED Act”.

SEC. 2. COMMISSION DEFINED.

In this Act, the term “Commission” means the Federal Communications Commission.

SEC. 3. FORFEITURE.

(a) IN GENERAL.—Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) in subsection (b), by adding at the end the following:

“(4) CIVIL FORFEITURE.—

“(A) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraph (3) or (4) of section 503(b), to have violated this subsection shall be liable to the United States for a forfeiture penalty pursuant to section 503(b)(1). Paragraph (5) of section 503(b) shall not apply in the case of a violation of this subsection. A forfeiture penalty under this subparagraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this subparagraph shall be determined in accordance with subparagraphs (A) through (F) of section 503(b)(2).

“(B) VIOLATION WITH INTENT.—Any person that is determined by the Commission, in accordance with paragraph (3) or (4) of section 503(b), to have violated this subsection with the intent to cause such violation shall be liable to the United States for a forfeiture penalty pursuant to section 503(b)(1). Paragraph (5) of section 503(b) shall not apply in the case of a violation of this subsection. A forfeiture penalty under this subparagraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this subparagraph shall be equal to an amount determined in accordance with subparagraphs (A) through (F) of section 503(b)(2) plus an additional penalty not to exceed \$10,000.

“(C) RECOVERY.—Any forfeiture penalty determined under subparagraph (A) or (B) shall be recoverable under section 504(a).

“(D) PROCEDURE.—No forfeiture liability shall be determined under subparagraph (A) or (B) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4).

“(E) STATUTE OF LIMITATIONS.—Notwithstanding paragraph (6) of section 503(b), no forfeiture penalty shall be determined or imposed against any person—

“(i) under subparagraph (A) if the violation charged occurred more than 1 year prior to the date of issuance of the required notice or notice of apparent liability; or

“(ii) under subparagraph (B) if the violation charged occurred more than 4 years prior to the date of issuance of the required notice or notice of apparent liability.

“(F) RULE OF CONSTRUCTION.—Notwithstanding any law to the contrary, the Commission may not determine or impose a forfeiture penalty on a person under both subparagraphs (A) and (B) based on the same conduct.”;

(2) in subsection (e)(5)(A)—

(A) in clause (ii), by adding at the end the following: “Paragraph (5) of section 503(b) shall not apply in the case of a violation of this subsection.”; and

(B) in clause (iv)—

(i) in the heading, by striking “2-YEAR” and inserting “4-YEAR”; and

(ii) by striking “2 years” and inserting “4 years”; and

(3) by striking subsection (h) and inserting the following:

“(h) ANNUAL REPORT TO CONGRESS ON ROBOCALLS AND TRANSMISSION OF MISLEADING

OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

“(1) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this subsection, and annually thereafter, the Commission, after consultation with the Federal Trade Commission, shall submit to Congress a report regarding enforcement by the Commission of subsections (b), (c), (d), and (e) during the preceding calendar year.

“(2) MATTERS FOR INCLUSION.—Each report required by paragraph (1) shall include the following:

“(A) The number of complaints received by the Commission during each of the preceding 5 calendar years, for each of the following categories:

“(i) Complaints alleging that a consumer received a call in violation of subsection (b) or (c).

“(ii) Complaints alleging that a consumer received a call in violation of the standards prescribed under subsection (d).

“(iii) Complaints alleging that a consumer received a call in connection with which misleading or inaccurate caller identification information was transmitted in violation of subsection (e).

“(B) The number of citations issued by the Commission pursuant to section 503(b) during the preceding calendar year to enforce subsection (d), and details of each such citation.

“(C) The number of notices of apparent liability issued by the Commission pursuant to section 503(b) during the preceding calendar year to enforce subsections (b), (c), (d), and (e), and details of each such notice including any proposed forfeiture amount.

“(D) The number of final orders imposing forfeiture penalties issued pursuant to section 503(b) during the preceding calendar year to enforce such subsections, and details of each such order including the forfeiture imposed.

“(E) The amount of forfeiture penalties or criminal fines collected, during the preceding calendar year, by the Commission or the Attorney General for violations of such subsections, and details of each case in which such a forfeiture penalty or criminal fine was collected.

“(F) Proposals for reducing the number of calls made in violation of such subsections.

“(G) An analysis of the contribution by providers of interconnected VoIP service and non-interconnected VoIP service that discount high-volume, unlawful, short-duration calls to the total number of calls made in violation of such subsections, and recommendations on how to address such contribution in order to decrease the total number of calls made in violation of such subsections.

“(3) NO ADDITIONAL REPORTING REQUIRED.—The Commission shall prepare the report required by paragraph (1) without requiring the provision of additional information from providers of telecommunications service or voice service (as defined in section 4(a) of the Pallone-Thune TRACED Act).”.

(b) APPLICABILITY.—The amendments made by this section shall not affect any action or proceeding commenced before and pending on the date of the enactment of this Act.

(c) DEADLINE FOR REGULATIONS.—The Commission shall prescribe regulations to implement the amendments made by this section not later than 270 days after the date of the enactment of this Act.

SEC. 4. CALL AUTHENTICATION.

(a) DEFINITIONS.—In this section:

(1) STIR/SHAKEN AUTHENTICATION FRAMEWORK.—The term “STIR/SHAKEN authentication framework” means the secure telephone identity revisited and signature-based