

117TH CONGRESS
2D SESSION

H. R. 7132

IN THE SENATE OF THE UNITED STATES

JULY 28, 2022

Received

AN ACT

To preserve safe access to communications services for survivors of domestic violence and other crimes, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe Connections Act
3 of 2022”.

4 **SEC. 2. DEFINITIONS.**

5 Except as otherwise provided in this Act, terms used
6 in this Act that are defined in section 345(a) of the Com-
7 munications Act of 1934, as added by section 4 of this
8 Act, have the meanings given those terms in such section
9 345(a).

10 **SEC. 3. FINDINGS.**

11 Congress finds the following:

12 (1) Domestic violence, dating violence, stalking,
13 sexual assault, human trafficking, and related
14 crimes are life-threatening issues and have lasting
15 and harmful effects on individuals, families, and en-
16 tire communities.

17 (2) Survivors often lack meaningful support
18 and options when establishing independence from an
19 abuser, including barriers such as financial insecu-
20 rity and limited access to reliable communications
21 tools to maintain essential connections with family,
22 social safety networks, employers, and support serv-
23 ices.

24 (3) Perpetrators of violence and abuse described
25 in paragraph (1) increasingly use technological and

communications tools to exercise control over, monitor, and abuse their victims.

(4) Communications law can play a public interest role in the promotion of safety, life, and property with respect to the types of violence and abuse described in paragraph (1). For example, independent access to a wireless phone plan can assist survivors in establishing security and autonomy.

(5) Safeguards within communications services can serve a role in preventing abuse and narrowing the digital divide experienced by survivors of abuse.

**SEC. 4. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS
WITHIN COMMUNICATIONS SERVICES.**

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

**“SEC. 345. PROTECTION OF SURVIVORS OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, AND RELATED
CRIMES.**

“(a) DEFINITIONS.—In this section:

“(1) ABUSER.—The term ‘abuser’ means an individual who has committed or allegedly committed a covered act against—

“(A) an individual who seeks relief under subsection (b); or

1 “(B) an individual in the care of an indi-
2 vidual who seeks relief under subsection (b).

3 “(2) COVERED ACT.—

4 “(A) IN GENERAL.—The term ‘covered act’
5 means conduct that constitutes—

6 “(i) a crime described in section
7 40002(a) of the Violence Against Women
8 Act of 1994 (34 U.S.C. 12291(a)), includ-
9 ing domestic violence, dating violence, sex-
10 ual assault, stalking, and sex trafficking;

11 “(ii) an act or practice described in
12 paragraph (11) or (12) of section 103 of
13 the Trafficking Victims Protection Act of
14 2000 (22 U.S.C. 7102) (relating to severe
15 forms of trafficking in persons and sex
16 trafficking, respectively); or

17 “(iii) an act under State law, Tribal
18 law, or the Uniform Code of Military Jus-
19 tice that is similar to an offense described
20 in clause (i) or (ii).

21 “(B) CONVICTION NOT REQUIRED.—Noth-
22 ing in subparagraph (A) shall be construed to
23 require a criminal conviction or any other deter-
24 mination of a court in order for conduct to con-
25 stitute a covered act.

1 “(3) COVERED PROVIDER.—The term ‘covered
2 provider’ means a provider of a private mobile serv-
3 ice or commercial mobile service, as those terms are
4 defined in section 332(d).

5 “(4) PRIMARY ACCOUNT HOLDER.—The term
6 ‘primary account holder’ means an individual who is
7 a party to a mobile service contract with a covered
8 provider.

9 “(5) SHARED MOBILE SERVICE CONTRACT.—
10 The term ‘shared mobile service contract’—

11 “(A) means a mobile service contract for
12 an account that includes not less than 2 con-
13 sumers; and

14 “(B) does not include enterprise services
15 offered by a covered provider.

16 “(6) SURVIVOR.—The term ‘survivor’ means an
17 individual who is not less than 18 years old and—

18 “(A) against whom a covered act has been
19 committed or allegedly committed; or

20 “(B) who cares for another individual
21 against whom a covered act has been committed
22 or allegedly committed (provided that the indi-
23 vidual providing care did not commit or alleg-
24 edly commit the covered act).

1 “(b) SEPARATION OF LINES FROM SHARED MOBILE
2 SERVICE CONTRACT.—

3 “(1) IN GENERAL.—Not later than 2 business
4 days after receiving a completed line separation re-
5 quest from a survivor pursuant to subsection (c), a
6 covered provider shall, as applicable, with respect to
7 a shared mobile service contract under which the
8 survivor and the abuser each use a line—

9 “(A) separate the line of the survivor, and
10 the line of any individual in the care of the sur-
11 vivor, from the shared mobile service contract;
12 or

13 “(B) separate the line of the abuser from
14 the shared mobile service contract.

15 “(2) LIMITATIONS ON PENALTIES, FEES, AND
16 OTHER REQUIREMENTS.—Except as provided in
17 paragraphs (5) through (7), a covered provider may
18 not make separation of a line from a shared mobile
19 service contract under paragraph (1) contingent on
20 any requirement other than the requirements under
21 subsection (c), including—

22 “(A) payment of a fee, penalty, or other
23 charge;

1 “(B) maintaining contractual or billing re-
2 sponsibility of a separated line with the pro-
3 vider;

4 “(C) approval of separation by the primary
5 account holder, if the primary account holder is
6 not the survivor;

7 “(D) a prohibition or limitation, including
8 one described in subparagraph (A), on number
9 portability, provided such portability is tech-
10 nically feasible, or a request to change phone
11 numbers;

12 “(E) a prohibition or limitation on the sep-
13 aration of lines as a result of arrears accrued
14 by the account;

15 “(F) an increase in the rate charged for
16 the mobile service plan of the primary account
17 holder with respect to service on any remaining
18 line or lines; or

19 “(G) any other limitation or requirement
20 not listed under subsection (c).

21 “(3) RULE OF CONSTRUCTION.—Nothing in
22 paragraph (2) shall be construed to require a cov-
23 ered provider to provide a rate plan for the primary
24 account holder that is not otherwise commercially
25 available.

1 “(4) REMOTE OPTION.—A covered provider
2 shall offer a survivor the ability to submit a line sep-
3 aration request under subsection (c) through secure
4 remote means that are easily navigable, provided
5 that remote options are commercially available and
6 technically feasible.

7 “(5) RESPONSIBILITY FOR TRANSFERRED
8 TELEPHONE NUMBERS.—Notwithstanding para-
9 graph (2), beginning on the date on which a covered
10 provider transfers billing responsibilities for and use
11 of a telephone number or numbers to a survivor
12 under paragraph (1)(A) in response to a line separa-
13 tion request submitted by the survivor under sub-
14 section (c), unless ordered otherwise by a court, the
15 survivor shall assume financial responsibility, includ-
16 ing for monthly service costs, for the transferred
17 telephone number or numbers.

18 “(6) RESPONSIBILITY FOR TRANSFERRED
19 TELEPHONE NUMBERS FROM A SURVIVOR’S AC-
20 COUNT.—Notwithstanding paragraph (2), upon the
21 transfer of a telephone number under paragraph
22 (1)(B) in response to a line separation request sub-
23 mitted by a survivor under subsection (c), the sur-
24 vivor shall have no further financial responsibilities
25 to the transferring covered provider for the services

1 provided by the transferring covered provider for the
2 telephone number or for any mobile device associ-
3 ated with the telephone number.

4 “(7) RESPONSIBILITY FOR MOBILE DEVICE.—

5 Notwithstanding paragraph (2), beginning on the
6 date on which a covered provider transfers billing re-
7 sponsibilities for and rights to a telephone number
8 or numbers to a survivor under paragraph (1)(A) in
9 response to a line separation request submitted by
10 the survivor under subsection (c), unless otherwise
11 ordered by a court, the survivor shall not assume fi-
12 nancial responsibility for any mobile device associ-
13 ated with the separated line, unless the survivor pur-
14 chased the mobile device, or affirmatively elects to
15 maintain possession of the mobile device.

16 “(8) NOTICE TO SURVIVOR.—If a covered pro-

17 vider separates a line from a shared mobile service
18 contract under paragraph (1) and the primary ac-
19 count holder is not the survivor, the covered provider
20 shall notify the survivor of the date on which the
21 covered provider intends to give any formal notice to
22 the primary account holder.

23 “(c) LINE SEPARATION REQUEST.—

24 “(1) IN GENERAL.—In the case of a survivor
25 seeking to separate a line from a shared mobile serv-

1 ice contract, the survivor shall submit to the covered
2 provider a line separation request that—

3 “(A) verifies that an individual who uses a
4 line under the shared mobile service contract
5 has committed or allegedly committed a covered
6 act against the survivor or an individual in the
7 survivor’s care, by providing—

8 “(i) a copy of a signed affidavit from
9 a licensed medical or mental health care
10 provider, licensed military medical or men-
11 tal health care provider, licensed social
12 worker, victim services provider, or licensed
13 military victim services provider, or an em-
14 ployee of a court, acting within the scope
15 of that person’s employment; or

16 “(ii) a copy of a police report, state-
17 ments provided by police, including mili-
18 tary police, to magistrates or judges,
19 charging documents, protective or restrain-
20 ing orders, military protective orders, or
21 any other official record that documents
22 the covered act;

23 “(B) in the case of relief sought under
24 subsection (b)(1)(A), with respect to—

1 “(i) a line used by the survivor that
2 the survivor seeks to have separated, states
3 that the survivor is the user of that spe-
4 cific line; and

5 “(ii) a line used by an individual in
6 the care of the survivor that the survivor
7 seeks to have separated, includes an affi-
8 davit setting forth that the individual—

9 “(I) is in the care of the survivor;
10 and

11 “(II) is the user of that specific
12 line; and

13 “(C) requests relief under subparagraph
14 (A) or (B) of subsection (b)(1) and identifies
15 each line that should be separated.

16 “(2) COMMUNICATIONS FROM COVERED PRO-
17 VIDERS.—

18 “(A) IN GENERAL.—A covered provider
19 shall notify a survivor seeking relief under sub-
20 section (b) in clear and accessible language that
21 the covered provider may contact the survivor,
22 or designated representative of the survivor, to
23 confirm the line separation, or if the covered
24 provider is unable to complete the line separa-

tion for any reason, pursuant to subparagraphs (B) and (C).

“(B) REMOTE MEANS.—A covered provider shall notify a survivor under subparagraph (A) through remote means, provided that remote means are commercially available and technically feasible.

“(C) ELECTION OF MANNER OF CONTACT.—When completing a line separation request submitted by a survivor through remote means under paragraph (1), a covered provider shall allow the survivor to elect in the manner in which the covered provider may—

“(i) contact the survivor, or designated representative of the survivor, in response to the request, if necessary; or

“(ii) notify the survivor, or designated representative of the survivor, of the inability of the covered provider to complete the line separation.

“(3) ENHANCED PROTECTIONS UNDER STATE LAW.—This subsection shall not affect any law or regulation of a State providing communications protections for survivors (or any similar category of individuals) that has less stringent requirements for

1 providing evidence of a covered act (or any similar
2 category of conduct) than this subsection.

3 “(d) CONFIDENTIAL AND SECURE TREATMENT OF
4 PERSONAL INFORMATION.—

5 “(1) IN GENERAL.—Notwithstanding section
6 222(c)(2), a covered provider and any officer, direc-
7 tor, employee, vendor, or agent thereof shall treat
8 any information submitted by a survivor under sub-
9 section (c) as confidential and securely dispose of
10 the information not later than 90 days after receiv-
11 ing the information.

12 “(2) RULE OF CONSTRUCTION.—Nothing in
13 paragraph (1) shall be construed to prohibit a cov-
14 ered provider from maintaining, for longer than the
15 period specified in that paragraph, a record that
16 verifies that a survivor fulfilled the conditions of a
17 line separation request under subsection (c).

18 “(e) AVAILABILITY OF INFORMATION TO CON-
19 SUMERS.—A covered provider shall make information
20 about the options and process described in subsections (b)
21 and (c) readily available to consumers—

22 “(1) on the website and the mobile application
23 of the provider;

24 “(2) in physical stores; and

1 “(3) in other forms of public-facing consumer
2 communication.

3 “(f) TECHNICAL INFEASIBILITY.—

4 “(1) IN GENERAL.—The requirement to effec-
5 tuate a line separation request pursuant to sub-
6 section (b)(1) shall not apply to a covered provider
7 if the covered provider cannot operationally or tech-
8 nically effectuate the request.

9 “(2) NOTIFICATION.—If a covered provider can-
10 not operationally or technically effectuate a line sep-
11 aration request as described in paragraph (1), the
12 covered provider shall—

13 “(A) notify the survivor who submitted the
14 request of that infeasibility—

15 “(i) at the time of the request; or

16 “(ii) in the case of a survivor who has
17 submitted the request using remote means,
18 not later than 2 business days after receiv-
19 ing the request; and

20 “(B) provide the survivor with information
21 about other alternatives to submitting a line
22 separation request, including starting a new
23 line of service.

24 “(g) LIABILITY PROTECTION.—

1 “(1) IN GENERAL.—A covered provider and any
2 officer, director, employee, vendor, or agent thereof
3 shall not be subject to liability for any claims deriv-
4 ing from an action taken or omission made with re-
5 spect to compliance with this section and the rules
6 adopted to implement this section.

7 “(2) COMMISSION AUTHORITY.—Nothing in this
8 subsection shall limit the authority of the Commis-
9 sion to enforce this section or any rules or regula-
10 tions promulgated by the Commission pursuant to
11 this section.”.

12 **SEC. 5. RULEMAKING ON PROTECTIONS FOR SURVIVORS**
13 **OF DOMESTIC VIOLENCE.**

14 (a) DEFINITIONS.—In this section—

15 (1) the term “Affordable Connectivity Pro-
16 gram” means the program established under section
17 904(b) of division N of the Consolidated Appropria-
18 tions Act, 2021 (Public Law 116–260), as amended
19 by section 60502 of the Infrastructure Investment
20 and Jobs Act (Public Law 117–58), or any suc-
21 cessor program;

22 (2) the term “appropriate congressional com-
23 mittees” means the Committee on Commerce,
24 Science, and Transportation of the Senate and the

1 Committee on Energy and Commerce of the House
2 of Representatives;

3 (3) the term “Commission” means the Federal
4 Communications Commission;

5 (4) the term “covered hotline” means a hotline
6 related to domestic violence, dating violence, sexual
7 assault, stalking, sex trafficking, severe forms of
8 trafficking in persons, or any other similar act;

9 (5) the term “designated program” means the
10 program designated by the Commission under sub-
11 section (b)(2)(A)(i) to provide emergency commu-
12 nications support to survivors;

13 (6) the term “Lifeline program” means the pro-
14 gram set forth in subpart E of part 54 of title 47,
15 Code of Federal Regulations (or any successor regu-
16 lation);

17 (7) the term “text message” has the meaning
18 given the term in section 227(e)(8) of the Commu-
19 nications Act of 1934 (47 U.S.C. 227(e)(8)); and

20 (8) the term “voice service” has the meaning
21 given such term in section 4(a) of the Pallone-Thune
22 Telephone Robocall Abuse Criminal Enforcement
23 and Deterrence Act (47 U.S.C. 227b(a)).

24 (b) RULEMAKINGS.—

25 (1) LINE SEPARATIONS.—

1 (A) IN GENERAL.—Not later than 18
2 months after the date of enactment of this Act,
3 the Commission shall adopt rules to implement
4 section 345 of the Communications Act of
5 1934, as added by section 4 of this Act.

6 (B) CONSIDERATIONS.—In adopting rules
7 under subparagraph (A), the Commission shall
8 consider—

- 9 (i) privacy protections;
- 10 (ii) account security and fraud detec-
11 tion;
- 12 (iii) account billing procedures;
- 13 (iv) procedures for notification of sur-
14 vivors about line separation processes;
- 15 (v) notice to primary account holders;
- 16 (vi) situations in which a covered pro-
17 vider cannot operationally or technically
18 separate a telephone number or numbers
19 from a shared mobile service contract such
20 that the provider cannot effectuate a line
21 separation request;
- 22 (vii) the requirements for remote sub-
23 mission of a line separation request, in-
24 cluding how that option facilitates submis-
25 sion of verification information and meets

1 the other requirements of section 345 of
2 the Communications Act of 1934, as added
3 by section 4 of this Act;

4 (viii) feasibility of remote options for
5 small covered providers;

6 (ix) implementation timelines, includ-
7 ing those for small covered providers;

8 (x) financial responsibility for trans-
9 ferred telephone numbers;

10 (xi) whether and how the survivor can
11 affirmatively elect to take financial respon-
12 sibility for the mobile device associated
13 with the separated line;

14 (xii) compliance with subpart U of
15 part 64 of title 47, Code of Federal Regu-
16 lations, or any successor regulations (relat-
17 ing to customer proprietary network infor-
18 mation) or any other legal or law enforce-
19 ment requirements; and

20 (xiii) ensuring covered providers have
21 the necessary account information to com-
22 ply with the rules and with section 345 of
23 the Communications Act of 1934, as added
24 by section 4 of this Act.

1 (2) EMERGENCY COMMUNICATIONS SUPPORT
2 FOR SURVIVORS.—

3 (A) IN GENERAL.—Not later than 18
4 months after the date of enactment of this Act,
5 or as part of a general rulemaking proceeding
6 relating to the Lifeline program or the Afford-
7 able Connectivity Program, whichever occurs
8 earlier, the Commission shall adopt rules that—

9 (i) designate a single program, which
10 shall be either the Lifeline program or the
11 Affordable Connectivity Program, to pro-
12 vide emergency communications support to
13 survivors in accordance with this para-
14 graph; and

15 (ii) allow a survivor who is suffering
16 from financial hardship and meets the re-
17 quirements under section 345(c)(1) of the
18 Communications Act of 1934, as added by
19 section 4 of this Act, without regard to
20 whether the survivor meets the otherwise
21 applicable eligibility requirements of the
22 designated program, to—

23 (I) enroll in the designated pro-
24 gram as quickly as is feasible; and

1 (II) participate in the designated
2 program based on such qualifications
3 for not more than 6 months.

4 (B) CONSIDERATIONS.—In adopting rules
5 under subparagraph (A), the Commission shall
6 consider—

7 (i) how survivors who are eligible for
8 relief and elected to separate a line under
9 section 345(c)(1) of the Communications
10 Act of 1934, as added by section 4 of this
11 Act, but whose lines could not be separated
12 due to operational or technical infeasibility,
13 can participate in the designated program;
14 and

15 (ii) confidentiality in the transfer and
16 retention of any necessary documentation
17 regarding the eligibility of a survivor to en-
18 roll in the designated program.

19 (C) EVALUATION.—Not later than 2 years
20 after completing the rulemaking under subpara-
21 graph (A), the Commission shall—

22 (i) evaluate the effectiveness of the
23 Commission's provision of support to sur-
24 vivors through the designated program;

1 (ii) assess the detection and elimi-
2 nation of fraud, waste, and abuse with re-
3 spect to the support described in clause (i);
4 and

5 (iii) submit to the appropriate con-
6 gressional committees a report that in-
7 cludes the evaluation and assessment de-
8 scribed in clauses (i) and (ii), respectively.

9 (D) RULE OF CONSTRUCTION.—Nothing in
10 this paragraph shall be construed to limit the
11 ability of a survivor who meets the require-
12 ments under section 345(c)(1) of the Commu-
13 nications Act of 1934, as added by section 4 of
14 this Act, to participate in the designated pro-
15 gram indefinitely if the survivor otherwise quali-
16 fies for the designated program under the rules
17 of the designated program.

18 (E) NOTIFICATION.—A covered provider
19 that receives a line separation request pursuant
20 to section 345 of the Communications Act of
21 1934, as added by section 4 of this Act, shall
22 inform the survivor who submitted the request
23 of—

24 (i) the existence of the designated pro-
25 gram;

1 (ii) who qualifies to participate in the
2 designated program under the rules adopt-
3 ed under subparagraph (A) that are spe-
4 cially applicable to survivors; and

5 (iii) how to participate in the des-
6 ignated program under the rules described
7 in clause (ii).

8 (3) HOTLINE CALLS.—

9 (A) IN GENERAL.—Not later than 180
10 days after the date of enactment of this Act,
11 the Commission shall commence a rulemaking
12 proceeding to consider whether to, and how the
13 Commission should—

14 (i) establish, and update on a monthly
15 basis, a central database of covered hot-
16 lines to be used by a covered provider or
17 a wireline provider of voice service; and

18 (ii) require a covered provider or a
19 wireline provider of voice service to omit
20 from consumer-facing logs of calls or text
21 messages any records of calls or text mes-
22 sages to covered hotlines in the central
23 database described in clause (i), while
24 maintaining internal records of those calls
25 and messages.

1 (B) CONSIDERATIONS.—The rulemaking
2 conducted under subparagraph (A) shall include
3 consideration of—

4 (i) the ability of law enforcement
5 agencies or survivors to access a log of
6 calls or text messages in a criminal inves-
7 tigation or civil proceeding;

8 (ii) the ability of a covered provider or
9 a wireline provider of voice service to—

10 (I) identify logs that are con-
11 sumer-facing; and

12 (II) omit certain consumer-facing
13 logs, while maintaining internal
14 records of such calls and text mes-
15 sages; and

16 (iii) any other factors associated with
17 the implementation of clauses (i) and (ii)
18 to protect survivors, including factors that
19 may impact smaller providers.

20 (C) NO EFFECT ON LAW ENFORCEMENT.—
21 Nothing in subparagraph (A) shall be construed
22 to—

23 (i) limit or otherwise affect the ability
24 of a law enforcement agency to access a

1 log of calls or text messages in a criminal
2 investigation; or

3 (ii) alter or otherwise expand provider
4 requirements under the Communications
5 Assistance for Law Enforcement Act (Pub-
6 lic Law 103–414; 108 Stat. 4279) or the
7 amendments made by that Act.

8 (D) COMPLIANCE.—If the Commission es-
9 tablishes a central database through the rule-
10 making under subparagraph (A) and a covered
11 provider updates its own databases to match
12 the central database not less frequently than
13 once every 30 days, no cause of action shall lie
14 or be maintained in any court against the cov-
15 ered provider or its officers, employees, or
16 agents for claims deriving from omission from
17 consumer-facing logs of calls or text messages
18 of any records of calls or text messages to cov-
19 ered hotlines in the central database.

20 **SEC. 6. EFFECTIVE DATE.**

21 The requirements under section 345 of the Commu-
22 nications Act of 1934, as added by section 4 of this Act,
23 shall take effect 60 days after the date on which the Fed-
24 eral Communications Commission adopts the rules imple-

1 mentioning that section pursuant to section 5(b)(1) of this
2 Act.

3 **SEC. 7. SAVINGS CLAUSE.**

4 Nothing in this Act or the amendments made by this
5 Act shall be construed to abrogate, limit, or otherwise af-
6 fect the provisions set forth in the Communications Assist-
7 ance for Law Enforcement Act (Public Law 103–414; 108
8 Stat. 4279) and the amendments made by that Act, any
9 authority granted to the Federal Communications Com-
10 mission pursuant to that Act or the amendments made
11 by that Act, or any regulations promulgated by the Fed-
12 eral Communications Commission pursuant to that Act or
13 the amendments made by that Act.

14 **SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.**

15 The budgetary effects of this Act, for the purpose of
16 complying with the Statutory Pay-As-You-Go Act of 2010,
17 shall be determined by reference to the latest statement
18 titled “Budgetary Effects of PAYGO Legislation” for this
19 Act, submitted for printing in the Congressional Record
20 by the Chairman of the House Budget Committee,

- 1 provided that such statement has been submitted prior to
- 2 the vote on passage.

Passed the House of Representatives July 27, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.