

108TH CONGRESS  
1ST SESSION

# H. R. 1642

To amend the Communications Act of 1934 to require the Federal Communications Commission to monitor complaints regarding the quality of wireless telephone service.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2003

Mr. WEINER introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To amend the Communications Act of 1934 to require the Federal Communications Commission to monitor complaints regarding the quality of wireless telephone service.

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 “Cell Phone Service Dis-  
5       closure Act of 2003”.

6       **SEC. 2. CONGRESSIONAL FINDINGS.**

7       The Congress finds that—

1 (1) wireless telephone use in the United States  
2 has expanded dramatically in recent years;

3 (2) numerous consumer complaints regarding  
4 wireless telephone service describe communities  
5 plagued by dead spots in such service, frequent pre-  
6 mature termination of calls, and calls that do not go  
7 through because of overcrowding of the service fre-  
8 quencies;

9 (3) no single Federal, State, or local agency is  
10 required by law to compile complaints regarding  
11 wireless telephone service; and

12 (4) currently no measurement exists of accept-  
13 able wireless telephone service.

14 **SEC. 3. MONITORING OF COMPLAINTS REGARDING QUAL-**  
15 **ITY OF COMMERCIAL MOBILE SERVICE.**

16 Section 332(c) of the Communications Act of 1934  
17 (47 U.S.C. 332) is amended by adding at the end the fol-  
18 lowing new paragraph:

19 “(9) QUALITY OF COMMERCIAL MOBILE SERV-  
20 ICES.—

21 “(A) COMPLAINT SYSTEM.—The Commis-  
22 sion shall, by regulation, establish, and shall ad-  
23 minister, a system that makes available a proce-  
24 dure for any subscriber of any commercial mo-  
25 bile service to register a complaint with the

1 Commission regarding the quality or perform-  
2 ance of such service regarding connection, re-  
3 ception, billing practices, and such other as-  
4 pects of service as the Commission considers  
5 appropriate.

6 “(B) TOLL-FREE NUMBER.—Such system  
7 shall include establishment of a toll-free number  
8 applicable to commercial mobile services for re-  
9 porting a complaint. The Commission and any  
10 agency or entity to which the Commission has  
11 delegated authority under section 251(e) shall  
12 designate ‘#FCC’ as such number and shall  
13 provide appropriate transition periods for areas  
14 in which such number is otherwise in use as of  
15 the date of the enactment of the Cell Phone  
16 Service Disclosure Act of 2003.

17 “(C) RECORDS.—The Commission shall  
18 maintain a record of each complaint made  
19 under the system established pursuant to this  
20 paragraph.

21 “(D) NOTICE.—The Commission shall re-  
22 quire each provider of commercial mobile serv-  
23 ice (or the billing agent for such provider) to in-  
24 clude, in each subscriber’s bill for such service,  
25 a statement informing the subscriber that a

1 complaint regarding the quality or performance  
2 of the service may be registered with the Com-  
3 mission and providing the toll-free number  
4 under subparagraph (B) and an address for  
5 mailing a complaint. The Commission shall take  
6 such other actions as may be appropriate to  
7 publicize the availability of the complaint sys-  
8 tem to subscribers of commercial mobile serv-  
9 ices.

10 “(E) REPORTING OF COMPLAINTS TO CON-  
11 GRESS.—Not less often than once every 6  
12 months, the Commission shall submit a report  
13 to the Congress regarding complaints received  
14 under the complaint system required under this  
15 paragraph, which shall indicate, for each metro-  
16 politan statistical area and such other areas  
17 (not included within a metropolitan statistical  
18 area) as the Commission considers appro-  
19 priate—

20 “(i) the number of complaints re-  
21 ceived, during the period for which the re-  
22 port is made, regarding each provider of a  
23 commercial mobile service for which a com-  
24 plaint is made; and

1 “(ii) for each such provider, the num-  
2 ber of each type of complaint received dur-  
3 ing such period, which shall include com-  
4 plaints regarding dead spots, dropped calls,  
5 network busy signals, and improper billing  
6 practices.

7 Upon submission to the Congress of each report  
8 under this subparagraph, the Commission shall  
9 make such report publicly available by providing  
10 access to the report through a World Wide Web  
11 site of the Commission.”.

12 **SEC. 4. EFFECTIVE DATE AND REGULATIONS.**

13 (a) **EFFECTIVE DATE.**—The amendment made by  
14 section 3 shall take effect upon the expiration of the 6-  
15 month period beginning on the date of the enactment of  
16 this Act.

17 (b) **REGULATIONS.**—The Commission shall prescribe  
18 such regulations as may be necessary to carry out the  
19 amendment made by section 3. Such regulations shall be  
20 issued not later than, and shall take effect upon, the effec-  
21 tive date under subsection (a).

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