

116TH CONGRESS
2D SESSION

H. R. 1289

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2020

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To amend the Communications Act of 1934 to provide for a moratorium on number reassignment after a disaster declaration, 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 “Preserving Home and
3 Office Numbers in Emergencies Act of 2020” or the
4 “PHONE Act of 2020”.

5 **SEC. 2. MORATORIUM ON NUMBER REASSIGNMENT AFTER**
6 **DISASTER DECLARATION.**

7 (a) IN GENERAL.—Section 251(e) of the Commu-
8 nications Act of 1934 (47 U.S.C. 251(e)) is amended by
9 adding at the end the following:

10 “(4) MORATORIUM ON NUMBER REASSIGNMENT
11 AFTER DISASTER DECLARATION.—

12 “(A) IN GENERAL.—In the case of a num-
13 ber assigned to a subscriber for the provision of
14 fixed wireline voice service at a location in a
15 designated area during a covered period—

16 “(i) the number may not be reas-
17 signed, except at the request of the sub-
18 scriber; and

19 “(ii) the assignment of the number
20 may not be rescinded or otherwise modi-
21 fied, except at the request of the sub-
22 scriber.

23 “(B) EXTENSION AT REQUEST OF SUB-
24 SCRIBER.—During the covered period, at the
25 request of a subscriber described in subpara-
26 graph (A), the prohibition in subparagraph (A)

1 shall be extended for the number for 1 year
2 after the date on which the covered period ex-
3 pires.

4 “(C) SUBSCRIBER RIGHT TO CANCEL AND
5 RESUBSCRIBE.—

6 “(i) IN GENERAL.—In the case of a
7 number described under subparagraph (A)
8 or (B), if the subscriber assigned to such
9 number demonstrates to the provider of
10 the service (or, under subclause (II), any
11 other provider of fixed wireline voice serv-
12 ice that serves the local area) that the resi-
13 dence where the number is located is inac-
14 cessible or uninhabitable—

15 “(I) the provider may not charge
16 the subscriber an early termination or
17 other fee in connection with the can-
18 cellation of such service, if cancelled
19 during the covered period or the ex-
20 tension of the period described in sub-
21 paragraph (B); and

22 “(II) if the subscriber cancels the
23 service during the covered period or
24 the extension of the period described
25 in subparagraph (B), the provider (or

1 any other provider of fixed wireline
2 voice service that serves the local
3 area)—

4 “(aa) shall permit the sub-
5 scriber to subscribe or resub-
6 scribe, as the case may be, to
7 fixed wireline voice service with
8 the number at the residence or at
9 a different residence (if such
10 number is available in the loca-
11 tion of such different residence);
12 and

13 “(bb) may not charge the
14 subscriber a connection fee or
15 any other fee relating to the initi-
16 ation of fixed wireline voice serv-
17 ice.

18 “(ii) CANCELLATION WITHOUT DEM-
19 ONSTRATION OF INACCESSIBILITY OR
20 UNINHABITABILITY.—If a subscriber can-
21 cels the provision of service assigned to a
22 number described in subparagraph (A) or
23 (B) and does not demonstrate to the pro-
24 vider of such service that the residence
25 where the number is located is inaccessible

1 or uninhabitable as described under clause
2 (i), the number is no longer subject to the
3 prohibition under subparagraph (A) or
4 (B).

5 “(D) IDENTIFICATION ON COMMISSION
6 WEBSITE.—The Commission shall publicly iden-
7 tify on the website of the Commission each des-
8 ignated area that is in a covered period, not
9 later than 15 days after the submission of a
10 public designation by a State under subpara-
11 graph (E)(iii) with respect to such area. In
12 identifying a designated area under subpara-
13 graph (E)(iii), a State shall consult with pro-
14 viders of fixed wireline voice service that serve
15 such area and coordinate with the Federal
16 Emergency Management Agency to reasonably
17 limit the designated area to areas that have
18 sustained covered damage.

19 “(E) DEFINITIONS.—In this paragraph:

20 “(i) COVERED DAMAGE.—The term
21 ‘covered damage’ means, with respect to an
22 area—

23 “(I) damage that renders resi-
24 dences in such area inaccessible or un-
25 inhabitable; or

1 “(II) damage that otherwise re-
2 sults in the displacement of sub-
3 scribers from or within such area.

4 “(ii) COVERED PERIOD.—The term
5 ‘covered period’ means a period that—

6 “(I) begins on the date of a dec-
7 laration by the President of a major
8 disaster under section 401 of the Rob-
9 ert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C.
11 5170) with respect to a designated
12 area; and

13 “(II) ends on the date that is 1
14 year after such date.

15 “(iii) DESIGNATED AREA.—The term
16 ‘designated area’ means a geographic area
17 for which a State has submitted a public
18 designation to the Commission, within 15
19 days after a declaration by the President
20 of a major disaster under section 401 of
21 the Robert T. Stafford Disaster Relief and
22 Emergency Assistance Act (42 U.S.C.
23 5170) with respect to such area, stipu-
24 lating that the State has determined
25 that—

1 “(I) covered damage was sus-
2 tained in such area; and

3 “(II) the prohibitions described
4 in this paragraph are necessary and
5 in the public interest.

6 “(iv) VOICE SERVICE.—The term
7 ‘voice service’ has the meaning given the
8 term ‘voice service’ in section 227(e)(8).”.

9 (b) AMENDMENT OF FCC RULES REQUIRED.—Not
10 later than 180 days after the date of the enactment of
11 this Act, the Federal Communications Commission shall
12 amend its rules to reflect the requirements of paragraph
13 (4) of section 251(e) of the Communications Act of 1934
14 (47 U.S.C. 251(e)), as added by subsection (a).

15 (c) APPLICABILITY.—Paragraph (4) of section 251(e)
16 of the Communications Act of 1934 (47 U.S.C. 251(e)),
17 as added by subsection (a), shall apply with respect to a
18 major disaster declared by the President under section
19 401 of the Robert T. Stafford Disaster Relief and Emer-
20 gency Assistance Act (42 U.S.C. 5170) after the date that
21 is 180 days after the date on which the Commission an-
22 nounces that the Commission is capable of publicly identi-

- 1 fying a designated area on the website of the Commission
- 2 under subparagraph (D) of such paragraph (4).

Passed the House of Representatives September 29,
2020.

Attest:

CHERYL L. JOHNSON,

Clerk.