

voice communication (including any related signaling information) that is generated—

“(A) from the placement of a call from a connection using a North American Numbering Plan resource or a call placed to a connection using such a numbering resource; and

“(B) through any service provided by a covered provider.

“(3) INTERMEDIATE PROVIDER.—The term ‘intermediate provider’ means any entity that—

“(A) enters into a business arrangement with a covered provider or other intermediate provider for the specific purpose of carrying, routing, or transmitting voice traffic that is generated from the placement of a call placed—

“(i) from an end user connection using a North American Numbering Plan resource; or

“(ii) to an end user connection using such a numbering resource; and

“(B) does not itself, either directly or in conjunction with an affiliate, serve as a covered provider in the context of originating or terminating a given call.”.

FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 77, S. 174.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 174) to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

There being no objection, the Senate proceeded to consider the bill.

Mr. WICKER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 174) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 174

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 “Federal Communications Commission Consolidated Reporting Act of 2017”.

SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

“(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.

“(b) CONTENTS.—Each report required under subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment;

“(3) assess whether laws, regulations, regulatory practices, or demonstrated marketplace practices pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services; and

“(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3).

“(c) EXTENSION.—If the Senate confirms the Chairman of the Commission during the third or fourth quarter of an even-numbered year, the report required under subsection (a) may be published on the website of the Commission and submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate by March 1 of the following odd-numbered year.

“(d) SPECIAL REQUIREMENTS.—

“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall include a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).

“(e) NOTIFICATION OF DELAY IN REPORT.—If the Commission fails to publish a report by the applicable deadline under subsection (a) or (c), the Commission shall, not later than 7 days after the deadline and every 60 days thereafter until the publication of the report—

“(1) provide notification of the delay by letter to the chairperson and ranking member of—

“(A) the Committee on Energy and Commerce of the House of Representatives; and

“(B) the Committee on Commerce, Science, and Transportation of the Senate;

“(2) indicate in the letter the date on which the Commission anticipates the report will be published; and

“(3) publish the letter on the website of the Commission.”.

SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e) is repealed.

(b) SATELLITE COMPETITION REPORT.—Section 4 of Public Law 109-34 (47 U.S.C. 703) is repealed.

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103(b)(1) of the Broadband Data Improvement Act (47 U.S.C. 1303(b)(1)) is amended by striking “the assessment and report” and all that follows through “the Federal Communications Commission” and inserting “its report under section 13 of the Communications Act of 1934, the Federal Communications Commission”.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended—

(1) in paragraph (1), by striking “annually publish” and inserting “publish with its report under section 13 of the Communications Act of 1934”; and

(2) in paragraph (2), in the heading, by striking “ANNUAL”.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

(1) IN GENERAL.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 9(i), by striking “In the Commission’s annual report, the Commission shall prepare an analysis of its progress in developing such systems and” and inserting “The Commission”; and

(B) in section 309(j)(8)(B), by striking the last sentence.

(i) ADDITIONAL OUTDATED REPORTS.—

(1) IN GENERAL.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 4—

(i) in subsection (b)(2)(B)(ii), by striking “and shall furnish notice of such action” and all that follows through “subject of the waiver”; and

(ii) in subsection (g)—

(I) by striking paragraph (2); and

(II) by redesignating paragraph (3) as paragraph (2);

(B) in section 215—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b);

(C) in section 227(e)—

(i) by striking paragraph (4); and

(ii) by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively;

(D) in section 303(u)(1)(B), by striking “section 713(f)” and inserting “section 713(e)”;

(E) in section 309(j)—

(i) by striking paragraph (12);

(ii) by redesignating paragraphs (13) through (17) as paragraphs (12) through (16), respectively; and

(iii) in paragraph (14)(C), as redesignated—(I) by striking clause (iv);

(II) by redesignating clauses (v) and (vi) as clauses (iv) and (v), respectively; and

(III) in clause (v), as redesignated, in the matter preceding subclause (I)—

(aa) by striking “clause (v)” and inserting “clause (iv)”;

(bb) by striking “paragraph (14)” and inserting “paragraph (13)”;

(F) in section 331(b), by striking the last sentence;

(G) in section 336(e), by striking paragraph (4) and inserting the following:

“(4) REPORT.—The Commission shall annually advise the Congress on the amounts collected pursuant to the program required by this subsection.”;

(H) in section 338(k)(6)(B), by striking “section 396(k)(6)(B)” and inserting “section 396(j)(6)(B)”;

(I) in section 339(c)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(iii) in paragraph (3)(A), as redesignated, by striking “paragraph (2)” and inserting “paragraph (1)”;

(iv) in paragraph (4), as redesignated, by striking “paragraphs (2) and (4)” and inserting “paragraphs (1) and (3)”;

(J) in section 396—

(i) by striking subsections (i) and (m);

(ii) by redesignating subsections (j) through (l) as subsections (i) through (k), respectively;

(iii) in subsection (j), as redesignated—

(I) in paragraph (1), by striking subparagraph (F);

(II) in paragraph (3)(B)(iii)—

(aa) by striking subclause (V);

(bb) by redesignating subclause (VI) as subclause (V); and

(cc) in subclause (V), as redesignated, by striking “subsection (1)(4)(B)” and inserting “subsection (k)(4)(B)”;

(III) in paragraph (5), by striking “subsection (1)(3)(B)” and inserting “subsection (k)(3)(B)”;

(iv) in subsection (k), as redesignated—

(I) in paragraph (1)(B), by striking “shall be included” and all that follows through “The audit report”;

(II) in paragraph (4)—

(aa) in subparagraph (B), by striking “subsection (k)(3)(A) (ii)(II) or (iii)(II)” and inserting “clause (ii)(II) or (iii)(II) of subsection (j)(3)(A)”;

(bb) in subparagraph (C), by striking “subsection (k)(3)(A)(iii)(III)” and inserting “subsection (j)(3)(A)(iii)(III)”;

(cc) in subparagraph (D), by striking “subsection (k)(3)(A) (ii)(III) or (iii)(II)” and inserting “clause (ii)(II) or (iii)(II) of subsection (j)(3)(A)”;

(K) in section 398(b)(4), by striking the third sentence;

(L) in section 399B(c), by striking “section 396(k)” and inserting “section 396(j)”;

(M) in section 615(l)(1)(A)(ii), by striking “section 396(k)(6)(B)” and inserting “section 396(j)(6)(B)”;

(N) in section 624A(b)(1)—

(i) by striking “REPORT; REGULATIONS” and inserting “REGULATIONS”;

(ii) by striking “Within 1 year after” and all that follows through “on means of assuring” and inserting “The Commission shall issue such regulations as are necessary to assure”;

(iii) by striking “Within 180 days after” and all that follows through “to assure such compatibility”;

(O) in section 713—

(i) by striking subsection (a);

(ii) by redesignating subsections (b), (c), (d), (e), (f), (g), (h), and (j) as subsections (a), (b), (c), (d), (e), (f), (g), and (h), respectively;

(iii) in subsection (a), as redesignated—

(I) in the matter preceding paragraph (1), by striking “such date of enactment” and inserting “the date of enactment of the Telecommunications Act of 1996”;

(II) by striking “subsection (d)” each place that term appears and inserting “subsection (c)”;

(iv) in subsection (b), as redesignated, by striking “subsection (b)” each place that term appears and inserting “subsection (a)”;

(v) in subsection (c), as redesignated, by striking “subsection (b)” and inserting “subsection (a)”;

(vi) in subsection (e)(2)(A), as redesignated, by striking “subsection (h)” and inserting “subsection (g)”;

(vii) in subsection (f), as redesignated, by striking “subsection (e)(2)” and inserting “subsection (d)(2)”.

(2) CONFORMING AMENDMENTS.—

(A) MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.—Section 6401(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1451(b)) is amended—

(i) in paragraph (1), by striking “(15)(A)” and inserting “(14)(A)”;

(ii) in paragraph (3), by striking “section 309(j)(16)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(16)(B))” and inserting “section 309(j)(15)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(15)(B))”.

(B) TITLE 17.—Chapter 1 of title 17, United States Code, is amended—

(i) in section 114(d)(1)(B)(iv), by striking “section 396(k) of the Communications Act of 1934 (47 U.S.C. 396(k))” and inserting “section 396(j) of the Communications Act of 1934 (47 U.S.C. 396(j))”;

(ii) in section 119(a)—

(I) in paragraph (2)(B)(ii)—

(aa) in subclause (I), by striking “section 339(c)(3)” and inserting “section 339(c)(2)”;

(bb) in subclause (II), by striking “section 339(c)(4)” and inserting “section 339(c)(3)”;

(cc) in subclause (III), by striking “section 339(c)(3) of the Communications Act of 1934 (47 U.S.C. 339(c)(3))” and inserting “section 339(c)(2) of the Communications Act of 1934 (47 U.S.C. 339(c)(2))”;

(II) in paragraph (3)(E), by striking “section 339(c)(2)” and inserting “section 339(c)(1)”;

(III) in paragraph (13), by striking “section 339(c)(2)” and inserting “section 339(c)(1)”.

SEC. 4. EFFECT ON AUTHORITY.

Nothing in this Act or the amendments made by this Act shall be construed to expand or contract the authority of the Federal Communications Commission.

SEC. 5. OTHER REPORTS.

Nothing in this Act or the amendments made by this Act shall be construed to prohibit or otherwise prevent the Federal Communications Commission from producing any additional reports otherwise within the authority of the Federal Communications Commission.

SPOOFING PREVENTION ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 117, S. 134.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 134) to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Spoofing Prevention Act of 2017”.

SEC. 2. DEFINITION.

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

SEC. 3. SPOOFING PREVENTION.

(a) EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking “in connection with any telecommunications service or IP-enabled voice service” and inserting “or any person outside the United States if the recipient of the call is within the United States, in connection with any voice service or text messaging service”.

(2) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”;

(B) in the first sentence of subparagraph (B), by striking “telecommunications service or IP-enabled voice service” and inserting “voice service or a text message sent using a text messaging service”;

(C) by striking subparagraph (C) and inserting the following:

“(C) TEXT MESSAGE.—The term ‘text message’—

“(i) means a message consisting of text, images, sounds, or other information that is transmitted from or received by a device that is identified as the transmitting or receiving device by means of a 10-digit telephone number;

“(ii) includes a short message service (commonly referred to as ‘SMS’) message, and a multimedia message service (commonly referred to as ‘MMS’) message; and

“(iii) does not include—

“(I) a real-time, two-way voice or video communication; or

“(II) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in clause (ii).

“(D) TEXT MESSAGING SERVICE.—The term ‘text messaging service’ means a service that enables the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

“(E) VOICE SERVICE.—The term ‘voice service’—

“(i) means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

“(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.”.

(3) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting “MISLEADING OR” before “INACCURATE”.

(4) REGULATIONS.—

(A) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking “Not later