

103^D CONGRESS
2^D SESSION

H. R. 5112

To amend the Communications Act of 1934 to require resellers of long distance telephone services to disclose their relationship to the carriers from which such services are acquired, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1994

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

A BILL

To amend the Communications Act of 1934 to require resellers of long distance telephone services to disclose their relationship to the carriers from which such services are acquired, 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,*

3 **SECTION 1. DISCLOSURE BY RESELLERS OF LONG DIS-**
4 **TANCE SERVICES.**

5 (a) AMENDMENT.—Title II of the Communications
6 Act of 1934 is amended by adding at the end the following
7 new section:

1 **“SEC. 229. DISCLOSURE OBLIGATIONS OF RESELLERS OF**
2 **INTEREXCHANGE SERVICES.**

3 “(a) DEFINITIONS.—As used in this section, the term
4 ‘toll service reseller’ means any person who is engaged in
5 the business of reselling telephone toll service.

6 “(b) DISCLOSURE REQUIRED.—Any toll service
7 reseller shall disclose to any person to whom it provides,
8 or offers to provide, telephone toll services—

9 “(1) the identity of the common carrier or car-
10 riers whose facilities such reseller uses in the provi-
11 sion of telephone toll services to such person; and

12 “(2) the nature of the toll service reseller’s af-
13 filiation with such common carrier, including any
14 ownership or other equity interest held by such car-
15 rier in such reseller, or that such reseller is not so
16 affiliated with such carrier.

17 “(c) TIMING OF DISCLOSURES.—Any toll service
18 reseller shall make the disclosures required by subsection
19 (b)—

20 “(1) in any advertisement or solicitation offer-
21 ing such services;

22 “(2) in writing not less than 10 days before au-
23 thORIZING any provider of telephone exchange services
24 to alter any connection for the provision of telephone
25 toll services; and

1 “(3) within 10 days after any change in the
2 identity of the common carrier whose facilities such
3 reseller uses in the provision of telephone toll serv-
4 ices, or after any change in the information required
5 to be disclosed under subsection (b)(2).

6 “(d) PENALTIES.—Any toll service reseller who vio-
7 lates any provision of this section—

8 “(1) shall be subject to the same penalties and
9 forfeitures as are available under this Act with re-
10 spect to a violation of this Act by a common carrier;
11 and

12 “(2) may be ordered by the Commission or a
13 State commission to pay the expenses of any person
14 affected by such violation in obtaining reconnection
15 to another reseller or carrier.

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