S.3954 Cruz Substitute, As Modified

OLL26A88 HGW S.L.C.

AMENDMENT NO._____ Calendar No._____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 3954

To terminate the ability of eligible telecommunications carriers in certain States to use State eligibility determination processes in place of the National Verifier to determine the eligibility of consumers for Lifeline service.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. CRUZ

Viz:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "No Lifeline for Dead People Act".

SEC. 2. MANDATORY USE OF NATIONAL VERIFIER TO DETERMINE LIFELINE ELIGIBILITY AND NATIONAL LIFELINE ACCOUNTABILITY DATABASE TO ELIMINATE DUPLICATIVE ENROLLMENTS.

(a) DEFINITIONS.—In this section:

(1) DUPLICATIVE SUPPORT.—The term "duplicative support" has the meaning given the term in section 54.400 of title 47, Code of Federal Regulations, or any successor regulation.

(2) ELIGIBLE TELECOMMUNICATIONS CARRIER.—The term "eligible telecommunications carrier" means a common carrier designated as an eligible telecommunications carrier under section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)).

(3) LIFELINE PROGRAM.—The term "Lifeline program" means the program set forth in subpart E of part 54 of title 47, Code of Federal Regulations, or any successor regulation.

(4) LIFELINE SERVICE.—The term "Lifeline service" means voice telephony service or broadband internet access service provided under the Lifeline program.

(5) NATIONAL LIFELINE ACCOUNTABILITY DATABASE.—The term "National Lifeline Accountability Database" has the meaning given the term in section 54.400 of title 47, Code of Federal Regulations, or any successor regulation.

(6) NATIONAL VERIFIER.—The term "National Verifier" has the meaning given the term in section

54.400 of title 47, Code of Federal Regulations, or any successor regulation.

(b) MANDATORY USE OF NATIONAL VERIFIER AND NATIONAL LIFELINE ACCOUNTABILITY DATABASE.—An eligible telecommunications carrier may not provide Lifeline service to a consumer unless—

(1) the carrier or the consumer has used the National Verifier to verify the eligibility of the consumer; and

(2) the carrier has used the National Lifeline Accountability Database to determine that the provision of Lifeline service to the consumer would not violate the restrictions on duplicative support under the Lifeline program.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall affect the ability of a State to set its own eligibility and enrollment requirements for programs that the State operates for eligible telecommunications carriers or any other entities that provide voice telephony service, broadband internet access service, or any other communications service.

(d) PREVENTION OF DECEASED AND DUPLICATIVE ENROLLMENTS.—The Federal Communications Commission shall coordinate with the Secretary of the Treasury to utilize the Do Not Pay Initiative established under sec-

tion 3354 of title 31, United States Code, as feasible and appropriate, to improve the National Verifier and the National Lifeline Accountability Database, to identify and prevent—

(1) the provision of Lifeline service to deceased individuals; and

(2) duplicative support.