

Union Calendar No. 264

111TH CONGRESS
2^D SESSION

H. R. 1258

[Report No. 111-461]

To amend the Communications Act of 1934 to prohibit manipulation of caller identification information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2009

Mr. ENGEL (for himself and Mr. BARTON of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

APRIL 13, 2010

Additional sponsors: Mrs. CHRISTENSEN, Mr. ADLER of New Jersey, Mr. BURTON of Indiana, and Mr. POLIS of Colorado

APRIL 13, 2010

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 3, 2009]

A BILL

To amend the Communications Act of 1934 to prohibit manipulation of caller identification information, 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. SHORT TITLE.**

4 *This Act may be cited as the “Truth in Caller ID Act*
5 *of 2010”.*

6 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALL-**
7 **ER ID INFORMATION.**

8 *Section 227 of the Communications Act of 1934 (47*
9 *U.S.C. 227) is amended—*

10 *(1) by redesignating subsections (e), (f), and (g)*
11 *as subsections (f), (g), and (h), respectively; and*

12 *(2) by inserting after subsection (d) the following*
13 *new subsection:*

14 *“(e) PROHIBITION ON PROVISION OF DECEPTIVE*
15 *CALLER ID INFORMATION.—*

16 *“(1) IN GENERAL.—It shall be unlawful for any*
17 *person within the United States, in connection with*
18 *any real time voice communications service, regard-*
19 *less of the technology or network utilized, to cause any*
20 *caller ID service to transmit misleading or inaccurate*
21 *caller ID information, with the intent to defraud or*
22 *deceive.*

23 *“(2) PROTECTION FOR BLOCKING CALLER ID IN-*
24 *FORMATION.—Nothing in this subsection may be con-*
25 *strued to prevent or restrict any person from blocking*

1 *the capability of any caller ID service to transmit*
2 *caller ID information.*

3 “(3) *REGULATIONS.*—

4 “(A) *DEADLINE.*—*Not later than 6 months*
5 *after the date of enactment of this subsection, the*
6 *Commission shall prescribe regulations to imple-*
7 *ment this subsection.*

8 “(B) *CONSIDERATION OF RELATED REGULA-*
9 *TIONS.*—*In conducting the proceeding to pre-*
10 *scribe the regulations required by subparagraph*
11 *(A), the Commission shall examine whether the*
12 *regulations under subsection (b)(2)(B) should be*
13 *revised to require calls that are not made for a*
14 *commercial purpose to residential telephone lines*
15 *using an artificial or prerecorded voice to deliver*
16 *a message to transmit caller ID information that*
17 *is not misleading or inaccurate.*

18 “(4) *LAW ENFORCEMENT EXCEPTION.*—*This sec-*
19 *tion does not prohibit lawfully authorized investiga-*
20 *tive, protective, or intelligence activity of a law en-*
21 *forcement agency of the United States, a State, or a*
22 *political subdivision of a State, or of an intelligence*
23 *agency of the United States, or any activity author-*
24 *ized under chapter 224 of title 18, United States*
25 *Code.*

1 “(5) *SAVINGS PROVISION.*—*Except as provided*
2 *for in paragraph (3)(B), nothing in this subsection*
3 *may be construed to affect or alter the application of*
4 *the Commission’s regulations regarding the require-*
5 *ments for transmission of caller ID information,*
6 *issued pursuant to the Telephone Consumer Protec-*
7 *tion Act of 1991 (Public Law 102–243) and the*
8 *amendments made by such Act.*

9 “(6) *DEFINITIONS.*—*For purposes of this sub-*
10 *section:*

11 “(A) *CALLER ID INFORMATION.*—*The term*
12 *‘caller ID information’ means information pro-*
13 *vided to an end user by a caller ID service re-*
14 *garding the name or the telephone number of the*
15 *caller or other information regarding the origi-*
16 *nation of a call made using any real time voice*
17 *communications service, regardless of the tech-*
18 *nology or network utilized.*

19 “(B) *CALLER ID SERVICE.*—*The term ‘caller*
20 *ID service’ means any service or device designed*
21 *to provide the user of the service or device with*
22 *the name or the telephone number of the caller*
23 *or other information regarding the origination of*
24 *a call made using any real time voice commu-*
25 *nications service, regardless of the technology or*

1 *network utilized. Such term includes automatic*
2 *number identification services.”.*

Amend the title so as to read: “A bill to amend the Communications Act of 1934 to prohibit manipulation of caller ID information, and for other purposes.”.

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