

108TH CONGRESS
1ST SESSION

H. R. 71

To require customer consent to the provision of wireless call location information.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

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

A BILL

To require customer consent to the provision of wireless call location information.

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 “Wireless Privacy Pro-
5 tection Act of 2003”.

1 **SEC. 2. AUTHORITY TO PROVIDE CALL LOCATION INFOR-**
2 **MATION CONCERNING WIRELESS CUS-**
3 **TOMERS.**

4 (a) INFORMED CONSENT TO PROVISION OF LOCA-
5 TION INFORMATION.—Section 222 of the Communications
6 Act of 1934 (47 U.S.C. 222) is amended

7 (1) by redesignating subsection (h) as sub-
8 section (i); and

9 (2) by inserting before such subsection the fol-
10 lowing new subsection:

11 “(h) AUTHORITY TO USE WIRELESS LOCATION AND
12 CRASH INFORMATION.—A customer shall not be consid-
13 ered to have granted express prior authorization for pur-
14 poses of subsection (f) unless—

15 “(1) the carrier has provided the customer in
16 writing a clear, conspicuous, and complete disclosure
17 of the carrier’s practices with respect to the collec-
18 tion and use of location information, transaction in-
19 formation, and automatic crash identification infor-
20 mation, before any such information is disclosed or
21 used, and such disclosure includes—

22 “(A) a description of the specific types of
23 information that is collected by the carrier;

24 “(B) how the carrier uses such informa-
25 tion; and

1 “(C) what information may be shared or
2 sold to other companies and third parties;

3 “(2) the customer has agreed in writing to the
4 collection and use of such information, or has agreed
5 in writing to such collection and use subject to cer-
6 tain limitations; and

7 “(3) the carrier has established and maintains
8 reasonable procedures to protect the confidentiality,
9 security, and integrity of the information the carrier
10 collects and maintains in accordance with such cus-
11 tomer consents.”.

12 (b) REGULATIONS REQUIRED.—The Federal Com-
13 munications Commission shall prescribe regulations to im-
14 plement the amendments made by subsection (a) within
15 6 months after the date of enactment of this Act.

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