

109TH CONGRESS
2D SESSION

H. R. 5126

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2006

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Truth in Caller ID
3 Act of 2006”.

4 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF**
5 **CALLER IDENTIFICATION INFORMATION.**

6 Section 227 of the Communications Act of 1934 (47
7 U.S.C. 227) is amended—

8 (1) by redesignating subsections (e), (f), and
9 (g) as subsections (f), (g), and (h), respectively; and

10 (2) by inserting after subsection (d) the fol-
11 lowing new subsection:

12 “(e) **PROHIBITION ON PROVISION OF DECEPTIVE**
13 **CALLER IDENTIFICATION INFORMATION.—**

14 “(1) **IN GENERAL.—**It shall be unlawful for any
15 person within the United States, in connection with
16 any telecommunications service or VOIP service, to
17 cause any caller identification service to transmit
18 misleading or inaccurate caller identification infor-
19 mation, with the intent to defraud or cause harm.

20 “(2) **PROTECTION FOR BLOCKING CALLER**
21 **IDENTIFICATION INFORMATION.—**Nothing in this
22 subsection may be construed to prevent or restrict
23 any person from blocking the capability of any caller
24 identification service to transmit caller identification
25 information.

1 “(3) REGULATIONS.—Not later than 6 months
2 after the enactment of this subsection, the Commis-
3 sion shall prescribe regulations to implement this
4 subsection.

5 “(4) DEFINITIONS.—For purposes of this sub-
6 section:

7 “(A) CALLER IDENTIFICATION INFORMA-
8 TION.—The term ‘caller identification informa-
9 tion’ means information provided to an end
10 user by a caller identification service regarding
11 the telephone number of, or other information
12 regarding the origination of, a call made using
13 a telecommunications service or VOIP service.

14 “(B) CALLER IDENTIFICATION SERVICE.—
15 The term ‘caller identification service’ means
16 any service or device designed to provide the
17 user of the service or device with the telephone
18 number of, or other information regarding the
19 origination of, a call made using a telecommuni-
20 cations service or VOIP service. Such term in-
21 cludes automatic number identification services.

22 “(C) VOIP SERVICE.—The term ‘VOIP
23 service’ means a service that—

24 “(i) provides real-time voice commu-
25 nications transmitted through end user

1 equipment using TCP/IP protocol, or a
2 successor protocol, for a fee or without a
3 fee;

4 “(ii) is offered to the public, or such
5 classes of users as to be effectively avail-
6 able to the public (whether part of a bun-
7 dle of services or separately); and

8 “(iii) has the capability to originate
9 traffic to, and terminate traffic from, the
10 public switched telephone network.

11 “(5) SAVINGS PROVISION.—Nothing in this Act
12 may be construed to affect or alter the application
13 of the Commission’s regulations regarding the re-
14 quirements for transmission of caller identification
15 information for telemarketing calls, issued pursuant
16 to the Telephone Consumer Protection Act of 1991
17 (Public Law 102–243) and the amendments made
18 by such Act.”.

Passed the House of Representatives June 6, 2006.

Attest:

KAREN L. HAAS,

Clerk.