

111TH CONGRESS
1ST SESSION

H. R. 428

To amend title 18, United States Code, to prohibit certain disclosures of
cell phone numbers.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. POE of Texas introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit certain
disclosures of cell phone numbers.

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 “Consumer Cellphone
5 Number Distribution Protection Act of 2009”.

6 **SEC. 2. MISUSE OF WIRELESS SUBSCRIBER CUSTOMER IN-**
7 **FORMATION.**

8 (a) IN GENERAL.—Chapter 88 of title 18 is amended
9 by adding at the end the following:

1 **“§ 1802. Misuse of wireless subscriber customer infor-**
2 **mation**

3 “(a) Whoever knowingly discloses to another, for
4 gain, a wireless subscriber’s cell phone number without the
5 express permission of the subscriber for that specific dis-
6 closure, if the number—

7 “(1) is not already readily publicly available;
8 and

9 “(2) was obtained by the discloser or one in
10 privity with the discloser as a condition of com-
11 pleting a commercial transaction that is in or affects
12 interstate or foreign commerce and is unrelated to
13 the disclosure;

14 shall be fined under this title or imprisoned not more than
15 6 months, or both.

16 “(b) As used in this section—

17 “(1) the term ‘wireless subscriber’ means a sub-
18 scriber to a commercial mobile service as defined in
19 section 332(d) of the Communications Act of 1934;
20 and

21 “(2) the term ‘cell phone number’ means the
22 number assigned to a wireless subscriber for the use
23 of a commercial mobile service as so defined.”.

24 (b) AMENDMENT TO TABLE OF SECTIONS.—The
25 table of sections at the beginning of chapter 88 of title

- 1 18, United States Code, is amended by adding at the end
- 2 the following new item:

“1802. Misuse of wireless subscriber customer information.”.

