

114TH CONGRESS
1ST SESSION

S. 1759

To prevent caller ID spoofing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2015

Mr. REID (for Mr. NELSON (for himself, Ms. KLOBUCHAR, and Mr. DONNELLY)) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prevent caller ID spoofing, 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 “Phone Scam Preven-
5 tion Act of 2015”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Commission” means the Federal
9 Communications Commission; and

10 (2) the term “voice service” means any service
11 that furnishes voice communications to an end user

1 using resources from the North American Num-
 2 bering Plan or any successor to the North American
 3 Numbering Plan adopted by the Commission under
 4 section 251(e)(1) of the Communications Act of
 5 1934 (47 U.S.C. 251(e)(1)).

6 **SEC. 3. REPORT ON EXISTING TECHNOLOGICAL SOLUTIONS**
 7 **TO COMBAT INACCURATE CALLER IDENTI-**
 8 **FICATION INFORMATION.**

9 (a) PUBLICATION OF REPORT.—The Commission
 10 shall publish on the website of the Commission a report
 11 that identifies existing technology solutions that a con-
 12 sumer can use to protect the consumer against misleading
 13 or inaccurate caller identification information.

14 (b) CONTENTS OF REPORT.—The report described in
 15 subsection (a) shall—

16 (1) analyze existing technologies that can en-
 17 able consumers to guard against misleading or inac-
 18 curate caller identification information;

19 (2) describe how the technologies described in
 20 paragraph (1) protect consumers; and

21 (3) detail whether and how voice service pro-
 22 viders are making the technologies described in
 23 paragraph (1) available to subscribers.

1 **SEC. 4. REPORT ON PLAN TO DEVELOP CALL ORIGINATION**
 2 **AUTHENTICATION STANDARDS.**

3 (a) IN GENERAL.—Not later than 1 year after the
 4 date of enactment of this Act, the Commission shall sub-
 5 mit to Congress a report detailing a plan to expeditiously
 6 develop, not later than 6 years after the submission of the
 7 report, reasonable authentication standards for a voice
 8 service provider to validate the calling party number and
 9 caller identification information of a call originated
 10 through a voice service so that the subscriber receiving the
 11 call may obtain, to the extent technologically feasible—

12 (1) a secure assurance of the origin of the call,
 13 including—

14 (A) the calling party number; and

15 (B) caller identification for the call; or

16 (2) notice that an assurance described in para-
 17 graph (1) is unavailable.

18 (b) RECOMMENDATION ON LEGISLATION.—The re-
 19 port submitted under subsection (a) may include rec-
 20 ommendations on whether legislation is necessary to pro-
 21 mote or facilitate the adoption of authentication standards
 22 for caller identification information.

23 **SEC. 5. EXPANDING AND CLARIFYING PROHIBITION ON IN-**
 24 **ACCURATE CALLER ID INFORMATION.**

25 (a) COMMUNICATIONS FROM OUTSIDE UNITED
 26 STATES.—Section 227(e)(1) of the Communications Act

1 of 1934 (47 U.S.C. 227(e)(1)) is amended by striking “in
 2 connection with any telecommunications service or IP-en-
 3 abled voice service” and inserting “or any person outside
 4 the United States if the recipient of the call is within the
 5 United States, in connection with any voice service”.

6 (b) COVERAGE OF TEXT MESSAGES AND OTHER
 7 VOICE SERVICES.—Section 227(e)(8) of the Communica-
 8 tions Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

9 (1) in subparagraph (A), by striking “tele-
 10 communications service or IP-enabled voice service”
 11 and inserting “voice service (including a text mes-
 12 sage sent using a text messaging service)”;

13 (2) in the first sentence of subparagraph (B),
 14 by striking “telecommunications service or IP-en-
 15 abled voice service” and inserting “voice service (in-
 16 cluding a text message sent using a text messaging
 17 service)”;

18 (3) by striking subparagraph (C) and inserting
 19 the following:

20 “(C) TEXT MESSAGE.—The term ‘text
 21 message’—

22 “(i) means a real-time or near real-
 23 time message consisting of text, images,
 24 sounds, or other information that is trans-
 25 mitted from or received by a device that is

1 identified as the transmitting or receiving
 2 device by means of a telephone number;

3 “(ii) includes a short message service
 4 (commonly referred to as ‘SMS’) message,
 5 an enhanced message service (commonly
 6 referred to as ‘EMS’) message, and a
 7 multimedia message service (commonly re-
 8 ferred to as ‘MMS’) message; and

9 “(iii) does not include a real-time, 2-
 10 way voice or video communication.

11 “(D) TEXT MESSAGING SERVICE.—The
 12 term ‘text messaging service’ means a service
 13 that permits the transmission or receipt of a
 14 text message, including a service provided as
 15 part of or in connection with a voice service.

16 “(E) VOICE SERVICE.—The term ‘voice
 17 service’ means any service that furnishes voice
 18 communications to an end user using resources
 19 from the North American Numbering Plan or
 20 any successor plan adopted by the Commission
 21 under section 251(e)(1).”.

22 (c) RULES OF CONSTRUCTION.—Nothing in this Act
 23 shall be construed to modify, limit, or otherwise affect—

24 (1) the authority, as of the day before the date
 25 of enactment of this Act, of the Commission to in-

1 interpret the term “call” to include a text message (as
2 defined under section 227(e)(8) of the Communica-
3 tions Act of 1934, as added by subsection (b)); or

4 (2) any rule or order adopted by the Commis-
5 sion in connection with—

6 (A) the Telephone Consumer Protection
7 Act of 1991 (Public Law 102–243; 105 Stat.
8 2394) or the amendments made by that Act; or

9 (B) the CAN–SPAM Act of 2003 (15
10 U.S.C. 7701 et seq.).

11 (d) REGULATIONS.—Not later than 18 months after
12 the date of enactment of this Act, the Commission shall
13 prescribe regulations to implement the amendments made
14 by this section.

15 (e) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on the date that is 6 months
17 after the date on which the Commission prescribes regula-
18 tions under subsection (d).

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