

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1258  
OFFERED BY MR. BOUCHER OF VIRGINIA, MR.  
BARTON OF TEXAS, AND MR. STEARNS OF  
FLORIDA**

Strike all after the enacting clause and insert the  
following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Truth in Caller ID  
3 Act of 2009”.

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

14           “(1) IN GENERAL.—It shall be unlawful for any  
15          person within the United States, in connection with  
16          any real time voice communications service, regard-

1 less of the technology or network utilized, to cause  
2 any caller ID service to transmit misleading or inac-  
3 curate caller ID information, with the intent to de-  
4 fraud or cause harm.

5 “(2) PROTECTION FOR BLOCKING CALLER ID  
6 INFORMATION.—Nothing in this subsection may be  
7 construed to prevent or restrict any person from  
8 blocking the capability of any caller ID service to  
9 transmit caller ID information.

10 “(3) REGULATIONS.—

11 “(A) DEADLINE.—Not later than 6  
12 months after the date of enactment of this sub-  
13 section, the Commission shall prescribe regula-  
14 tions to implement this subsection.

15 “(B) CONSIDERATION OF RELATED REGU-  
16 LATIONS.—In conducting the proceeding to pre-  
17 scribe the regulations required by subparagraph  
18 (A), the Commission shall examine whether the  
19 Commission’s regulations under subsection  
20 (b)(2)(B) should be revised to require non-com-  
21 mercial calls to residential telephone lines using  
22 an artificial or pre-recorded voice to deliver a  
23 message to transmit caller ID information that  
24 is not misleading or inaccurate.

1           “(4) LAW ENFORCEMENT EXCEPTION.—This  
2 section does not prohibit lawfully authorized inves-  
3 tigative, protective, or intelligence activity of a law  
4 enforcement agency of the United States, a State, or  
5 a political subdivision of a State, or of an intel-  
6 ligence agency of the United States, or any activity  
7 authorized under chapter 224 of title 18, United  
8 States Code.

9           “(5) SAVINGS PROVISION.—Except for para-  
10 graph (3)(B), nothing in this subsection may be con-  
11 strued to affect or alter the application of the Com-  
12 mission’s regulations regarding the requirements for  
13 transmission of caller ID information, issued pursu-  
14 ant to the Telephone Consumer Protection Act of  
15 1991 (Public Law 102–243) and the amendments  
16 made by such Act.

17           “(6) DEFINITIONS.—For purposes of this sub-  
18 section:

19           “(A) CALLER ID INFORMATION.—The term  
20 ‘caller ID information’ means information pro-  
21 vided to an end user by a caller ID service re-  
22 garding the name or the telephone number of  
23 the caller or other information regarding the  
24 origination of a call made using any real time

1 voice communications service, regardless of the  
2 technology or network utilized.

3 “(B) CALLER ID SERVICE.—The term  
4 ‘caller ID service’ means any service or device  
5 designed to provide the user of the service or  
6 device with the name or the telephone number  
7 of the caller or other information regarding the  
8 origination of a call made using any real time  
9 voice communications service, regardless of the  
10 technology or network utilized. Such term in-  
11 cludes automatic number identification serv-  
12 ices.”.

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.”.

