

**H.R. 1258, As Amended by the Subcommittee on Communications,
Technology, and the Internet on October 8, 2009**

**(The amendments adopted struck all after the enacting clause and
inserted a new text and a new title.)**

111TH CONGRESS
1ST SESSION

H. R. 1258

To amend the Communications Act of 1934 to prohibit manipulation of
caller identification information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2009

Mr. ENGEL (for himself and Mr. BARTON of Texas) introduced the following
bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to prohibit ma-
nipulation 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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF**
2 **CALLER ID INFORMATION.**

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

5 (1) by redesignating subsections (e), (f), and
6 (g) as subsections (f), (g), and (h), respectively; and

7 (2) by inserting after subsection (d) the fol-
8 lowing new subsection:

9 “(e) **PROHIBITION ON PROVISION OF DECEPTIVE**
10 **CALLER ID INFORMATION.—**

11 “(1) **IN GENERAL.—**It shall be unlawful for any
12 person within the United States, in connection with
13 any real time voice communications service, regard-
14 less of the technology or network utilized, to cause
15 any caller ID service to transmit misleading or inac-
16 curate caller ID information, with the intent to de-
17 fraud or cause harm.

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

23 “(3) **REGULATIONS.—**

24 “(A) **DEADLINE.—**Not later than 6
25 months after the date of enactment of this sub-

1 section, the Commission shall prescribe regula-
2 tions to implement this subsection.

3 “(B) CONSIDERATION OF RELATED REGU-
4 LATIONS.—In conducting the proceeding to pre-
5 scribe the regulations required by subparagraph
6 (A), the Commission shall examine whether the
7 Commission’s regulations under subsection
8 (b)(2)(B) should be revised to require non-com-
9 mercial calls to residential telephone lines using
10 an artificial or pre-recorded voice to deliver a
11 message to transmit caller ID information that
12 is not misleading or inaccurate.

13 “(4) LAW ENFORCEMENT EXCEPTION.—This
14 section does not prohibit lawfully authorized inves-
15 tigative, protective, or intelligence activity of a law
16 enforcement agency of the United States, a State, or
17 a political subdivision of a State, or of an intel-
18 ligence agency of the United States, or any activity
19 authorized under chapter 224 of title 18, United
20 States Code.

21 “(5) SAVINGS PROVISION.—Except for para-
22 graph (3)(B), nothing in this subsection may be con-
23 strued to affect or alter the application of the Com-
24 mission’s regulations regarding the requirements for
25 transmission of caller ID information, issued pursu-

1 ant to the Telephone Consumer Protection Act of
2 1991 (Public Law 102–243) and the amendments
3 made by such Act.

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

6 “(A) CALLER ID INFORMATION.—The term
7 ‘caller ID information’ means information pro-
8 vided to an end user by a caller ID service re-
9 garding the name or the telephone number of
10 the caller or other information regarding the
11 origination of a call made using any real time
12 voice communications service, regardless of the
13 technology or network utilized.

14 “(B) CALLER ID SERVICE.—The term
15 ‘caller ID service’ means any service or device
16 designed to provide the user of the service or
17 device with the name or the telephone number
18 of the caller or other information regarding the
19 origination of a call made using any real time
20 voice communications service, regardless of the
21 technology or network utilized. Such term in-
22 cludes automatic number identification serv-
23 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”.