

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1258
OFFERED BY MR. BOUCHER OF VIRGINIA**

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 2010”.

**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-
17 less of the technology or network utilized, to cause
18 any caller ID service to transmit misleading or inac-

1 curate caller ID information, with the intent to de-
2 fraud or deceive.

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

8 “(3) REGULATIONS.—

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

13 “(B) CONSIDERATION OF RELATED REGU-
14 LATIONS.—In conducting the proceeding to pre-
15 scribe the regulations required by subparagraph
16 (A), the Commission shall examine whether the
17 regulations under subsection (b)(2)(B) should
18 be revised to require calls that are not made for
19 a commercial purpose to residential telephone
20 lines using an artificial or prerecorded voice to
21 deliver a message to transmit caller ID infor-
22 mation that is not misleading or inaccurate.

23 “(4) LAW ENFORCEMENT EXCEPTION.—This
24 section does not prohibit lawfully authorized inves-
25 tigative, protective, or intelligence activity of a law

1 enforcement agency of the United States, a State, or
2 a political subdivision of a State, or of an intel-
3 ligence agency of the United States, or any activity
4 authorized under chapter 224 of title 18, United
5 States Code.

6 “(5) SAVINGS PROVISION.—Except as provided
7 for in paragraph (3)(B), nothing in this subsection
8 may be construed to affect or alter the application
9 of the Commission’s regulations regarding the re-
10 quirements for transmission of caller ID informa-
11 tion, issued pursuant to the Telephone Consumer
12 Protection Act of 1991 (Public Law 102–243) and
13 the amendments made by such Act.

14 “(6) DEFINITIONS.—For purposes of this sub-
15 section:

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

24 “(B) CALLER ID SERVICE.—The term
25 ‘caller ID service’ means any service or device

1 designed to provide the user of the service or
2 device with the name or the telephone number
3 of the caller or other information regarding the
4 origination of a call made using any real time
5 voice communications service, regardless of the
6 technology or network utilized. Such term in-
7 cludes automatic number identification serv-
8 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.”.

