

109TH CONGRESS
2^D SESSION

H. R. 5126

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2006

Mr. BARTON of Texas (for himself, Mr. ENGEL, Mr. SIMMONS, and Mr. REICHERT) 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 manipulation 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 2006”.

6 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF**
7 **CALLER IDENTIFICATION INFORMATION.**

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

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

3 (2) by inserting after subsection (d) the fol-
4 lowing new subsection:

5 “(e) PROHIBITION ON PROVISION OF INACCURATE
6 CALLER IDENTIFICATION INFORMATION.—

7 “(1) IN GENERAL.—It shall be unlawful for any
8 person within the United States, in connection with
9 any telecommunications service or VOIP service, to
10 cause any caller identification service to transmit
11 misleading or inaccurate caller identification infor-
12 mation, unless such transmission is exempted pursu-
13 ant to paragraph (3)(B).

14 “(2) PROTECTION FOR BLOCKING CALLER
15 IDENTIFICATION INFORMATION.—Nothing in this
16 subsection may be construed to prevent or restrict
17 any person from blocking the capability of any caller
18 identification service to transmit caller identification
19 information.

20 “(3) REGULATIONS.—

21 “(A) IN GENERAL.—Not later than 6
22 months after the enactment of this subsection,
23 the Commission shall prescribe regulations to
24 implement this subsection.

1 “(B) EXEMPTION.—The regulations under
2 this paragraph shall exempt from the prohibi-
3 tion under paragraph (1) transmissions in con-
4 nection with authorized activities of law en-
5 forcement agencies.

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

8 “(A) CALLER IDENTIFICATION INFORMA-
9 TION.—The term ‘caller identification informa-
10 tion’ means information provided by a caller
11 identification service regarding the telephone
12 number of, or other information regarding the
13 origination of, a call made using a telecommuni-
14 cations service or VOIP service.

15 “(B) CALLER IDENTIFICATION SERVICE.—
16 The term ‘caller identification service’ means
17 any service or device designed to provide the
18 user of the service or device with the telephone
19 number of, or other information regarding the
20 origination of, a call made using a telecommuni-
21 cations service or VOIP service. Such term in-
22 cludes automatic number identification services.

23 “(C) VOIP SERVICE.—The term ‘VOIP
24 service’ means a service that—

1 “(i) provides real-time 2-way voice
2 communications transmitted through cus-
3 tomer premises equipment using TCP/IP
4 protocol, or a successor protocol (including
5 when the voice communication is converted
6 to or from TCP/IP protocol by the VOIP
7 service provider and transmitted to the
8 subscriber without use of circuit switch-
9 ing), for a fee;

10 “(ii) is offered to the public, or such
11 classes of users as to be effectively avail-
12 able to the public (whether part of a bun-
13 dle of services or separately); and

14 “(iii) has the capability to originate
15 traffic to, and terminate traffic from, the
16 public switched telephone network.

17 “(5) LIMITATION.—Notwithstanding any other
18 provision of this section, subsection (f) shall not
19 apply to this subsection or to the regulations under
20 this subsection.”.

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