

## Calendar No. 346

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 1258**

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IN THE SENATE OF THE UNITED STATES

APRIL 15, 2010

Received; read twice and placed on the calendar

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**AN ACT**

To amend the Communications Act of 1934 to prohibit manipulation of caller ID 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 2010”.

6 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF**  
7 **CALLER ID 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 DECEPTIVE  
6 CALLER ID INFORMATION.—

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

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

19          “(3) REGULATIONS.—

20                 “(A) DEADLINE.—Not later than 6  
21                 months after the date of enactment of this sub-  
22                 section, the Commission shall prescribe regula-  
23                 tions to implement this subsection.

24                 “(B) CONSIDERATION OF RELATED REGU-  
25                 LATIONS.—In conducting the proceeding to pre-

1           scribe the regulations required by subparagraph  
2           (A), the Commission shall examine whether the  
3           regulations under subsection (b)(2)(B) should  
4           be revised to require calls that are not made for  
5           a commercial purpose to residential telephone  
6           lines using an artificial or prerecorded voice to  
7           deliver a message to transmit caller ID infor-  
8           mation that is not misleading or inaccurate.

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

17          “(5) SAVINGS PROVISION.—Except as provided  
18          for in paragraph (3)(B), nothing in this subsection  
19          may be construed to affect or alter the application  
20          of the Commission’s regulations regarding the re-  
21          quirements for transmission of caller ID informa-  
22          tion, issued pursuant to the Telephone Consumer  
23          Protection Act of 1991 (Public Law 102–243) and  
24          the amendments made by such Act.

1           “(6) DEFINITIONS.—For purposes of this sub-  
2 section:

3           “(A) CALLER ID INFORMATION.—The term  
4 ‘caller ID information’ means information pro-  
5 vided to an end user by a caller ID service re-  
6 garding the name or the telephone number of  
7 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.

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

Passed the House of Representatives April 14, 2010.

Attest:                   LORRAINE C. MILLER,  
*Clerk.*



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