

111TH CONGRESS  
1ST SESSION

# H. R. 428

To amend title 18, United States Code, to prohibit certain disclosures of  
cell phone numbers.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. POE of Texas introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit certain  
disclosures of cell phone numbers.

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 “Consumer Cellphone  
5       Number Distribution Protection Act of 2009”.

6       **SEC. 2. MISUSE OF WIRELESS SUBSCRIBER CUSTOMER IN-**  
7       **FORMATION.**

8       (a) IN GENERAL.—Chapter 88 of title 18 is amended  
9       by adding at the end the following:

1 **“§ 1802. Misuse of wireless subscriber customer infor-**  
2 **mation**

3 “(a) Whoever knowingly discloses to another, for  
4 gain, a wireless subscriber’s cell phone number without the  
5 express permission of the subscriber for that specific dis-  
6 closure, if the number—

7 “(1) is not already readily publicly available;  
8 and

9 “(2) was obtained by the discloser or one in  
10 privity with the discloser as a condition of com-  
11 pleting a commercial transaction that is in or affects  
12 interstate or foreign commerce and is unrelated to  
13 the disclosure;

14 shall be fined under this title or imprisoned not more than  
15 6 months, or both.

16 “(b) As used in this section—

17 “(1) the term ‘wireless subscriber’ means a sub-  
18 scriber to a commercial mobile service as defined in  
19 section 332(d) of the Communications Act of 1934;  
20 and

21 “(2) the term ‘cell phone number’ means the  
22 number assigned to a wireless subscriber for the use  
23 of a commercial mobile service as so defined.”.

24 (b) AMENDMENT TO TABLE OF SECTIONS.—The  
25 table of sections at the beginning of chapter 88 of title

- 1 18, United States Code, is amended by adding at the end
- 2 the following new item:

“1802. Misuse of wireless subscriber customer information.”.

