

Union Calendar No. 112

110TH CONGRESS
1ST SESSION

H. R. 251

[Report No. 110-188]

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2007

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

JUNE 11, 2007

Additional sponsors: Mr. INSLEE, Mr. TOWNS, Mr. BURTON of Indiana, Mr. BOUCHER, Mr. ENGLISH of Pennsylvania, Mr. MCHUGH, Mrs. McMORRIS RODGERS, Ms. JACKSON-LEE of Texas, Mr. SENSENBRENNER, Mrs. SCHMIDT, Mr. REICHERT, Mr. FOSSELLA, Mr. DAVIS of Kentucky, Mr. CALVERT, Mr. SHIMKUS, Mr. BUYER, Mrs. MYRICK, Mr. DICKS, Mr. KUHLMAN of New York, Mr. TIM MURPHY of Pennsylvania, Mr. GILLMOR, Ms. SHEA-PORTER, Mrs. LOWEY, Mr. GALLEGLY, Mrs. CUBIN, Mr. GORDON of Tennessee, Ms. MATSUI, Mr. CARNAHAN, Ms. ESHOO, and Mrs. BLACKBURN

JUNE 11, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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 2007”.

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—

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

12 (2) by inserting after subsection (d) the fol-
13 lowing new subsection:

14 “(e) **PROHIBITION ON PROVISION OF DECEPTIVE**
15 **CALLER IDENTIFICATION INFORMATION.—**

16 “(1) **IN GENERAL.—**It shall be unlawful for any
17 person within the United States, in connection with
18 any telecommunications service or VOIP service, to
19 cause any caller identification service to transmit
20 misleading or inaccurate caller identification infor-
21 mation, with the intent to defraud or cause harm.

22 “(2) **PROTECTION FOR BLOCKING CALLER**
23 **IDENTIFICATION INFORMATION.—**Nothing in this
24 subsection may be construed to prevent or restrict

1 any person from blocking the capability of any caller
2 identification service to transmit caller identification
3 information.

4 “(3) REGULATIONS.—Not later than 6 months
5 after the enactment of this subsection, the Commis-
6 sion shall prescribe regulations to implement this
7 subsection.

8 “(4) DEFINITIONS.—For purposes of this sub-
9 section:

10 “(A) CALLER IDENTIFICATION INFORMA-
11 TION.—The term ‘caller identification informa-
12 tion’ means information provided to an end
13 user by a caller identification service regarding
14 the telephone number of, or other information
15 regarding the origination of, a call made using
16 a telecommunications service or VOIP service.

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

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

3 “(i) provides real-time voice commu-
4 nications transmitted through end user
5 equipment using TCP/IP protocol, or a
6 successor protocol, for a fee or without a
7 fee;

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

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

15 “(5) SAVINGS PROVISION.—Nothing in this Act
16 may be construed to affect or alter the application
17 of the Commission’s regulations regarding the re-
18 quirements for transmission of caller identification
19 information for telemarketing calls, issued pursuant
20 to the Telephone Consumer Protection Act of 1991
21 (Public Law 102–243) and the amendments made
22 by such Act.”.

23 **SECTION 1. SHORT TITLE.**

24 *This Act may be cited as the “Truth in Caller ID Act*
25 *of 2007”.*

1 **SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALL-**
2 **ER IDENTIFICATION 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 (g)*
6 *as subsections (f), (g), and (h), respectively; and*

7 *(2) by inserting after subsection (d) the following*
8 *new subsection:*

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

11 *“(1) IN GENERAL.—It shall be unlawful for any*
12 *person within the United States, in connection with*
13 *any telecommunications service or VOIP service, to*
14 *cause any caller identification service to transmit*
15 *misleading or inaccurate caller identification infor-*
16 *mation, with the intent to defraud or cause harm.*

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

23 *“(3) REGULATIONS.—*

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

1 *mission shall prescribe regulations to implement*
2 *this subsection.*

3 “(B) *CONSIDERATION OF RELATED REGULA-*
4 *TIONS.—In conducting the proceeding to pre-*
5 *scribe the regulations required by subparagraph*
6 *(A) of this paragraph, the Commission shall ex-*
7 *amine whether the Commission’s regulations*
8 *under subsection (b)(2)(B) of this section should*
9 *be revised to require non-commercial calls to res-*
10 *idential telephone lines using an artificial or*
11 *pre-recorded voice to deliver a message to trans-*
12 *mit caller identification information that is not*
13 *misleading or inaccurate.*

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

16 “(A) *CALLER IDENTIFICATION INFORMA-*
17 *TION.—The term ‘caller identification informa-*
18 *tion’ means information provided to an end user*
19 *by a caller identification service regarding the*
20 *telephone number of, or other information re-*
21 *garding the origination of, a call made using a*
22 *telecommunications service or VOIP service.*

23 “(B) *CALLER IDENTIFICATION SERVICE.—*
24 *The term ‘caller identification service’ means*
25 *any service or device designed to provide the user*

1 *of the service or device with the telephone number*
2 *of, or other information regarding the origina-*
3 *tion of, a call made using a telecommunications*
4 *service or VOIP service. Such term includes*
5 *automatic number identification services.*

6 “(C) *VOIP SERVICE.*—*The term ‘VOIP*
7 *service’ means a service that—*

8 “(i) *provides real-time voice commu-*
9 *nications transmitted through end user*
10 *equipment using TCP/IP protocol, or a suc-*
11 *cessor protocol, for a fee or without a fee;*

12 “(ii) *is offered to the public, or such*
13 *classes of users as to be effectively available*
14 *to the public (whether part of a bundle of*
15 *services or separately); and*

16 “(iii) *has the capability to originate*
17 *traffic to, or terminate traffic from, the*
18 *public switched telephone network.*

19 “(5) *SAVINGS PROVISION.*—*Except for paragraph*
20 *(3)(B), nothing in this subsection may be construed*
21 *to affect or alter the application of the Commission’s*
22 *regulations regarding the requirements for trans-*
23 *mission of caller identification information, issued*
24 *pursuant to the Telephone Consumer Protection Act of*

1 *1991 (Public Law 102–243) and the amendments*
2 *made by such Act.”.*

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