

110TH CONGRESS  
1ST SESSION

# S. 2361

To ensure the privacy of wireless telephone numbers, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2007

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To ensure the privacy of wireless telephone numbers, 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 “Cell Phone Number  
5 Protection Act of 2007”.

6 **SEC. 2. PROHIBITION ON SALE OF CELL PHONE NUMBERS**  
7 **TO THIRD PARTIES.**

8 Section 222 of the Communications Act of 1934 (47  
9 U.S.C. 222) is amended—

10 (1) by redesignating subsection (h) as sub-  
11 section (i); and

1           (2) by inserting after subsection (g) the fol-  
2           lowing new subsection:

3           “(h) PROHIBITIONS WITH RESPECT TO DISSEMINA-  
4           TION OR COLLECTION OF CELL PHONE NUMBERS.—

5           “(1) PROHIBITION ON SALE TO THIRD PAR-  
6           TIES.—Notwithstanding the exception provided  
7           under subsection (e), no person, including any pro-  
8           vider of commercial mobile services, wireless direc-  
9           tory assistance service, or any direct or indirect affil-  
10          iate or agent of such a provider, shall sell, offer for  
11          sale, or otherwise disseminate, the wireless telephone  
12          information of any individual unless the individual  
13          provides, in writing, to such person express prior au-  
14          thorization for the sale, offer for sale, or dissemina-  
15          tion of such information.

16          “(2) PROHIBITION ON PUBLICATION OF DIREC-  
17          TORIES.—No person may publish, market for sale,  
18          or otherwise disseminate, any directory, index, or  
19          other list of the wireless telephone information of in-  
20          dividuals unless each individual whose information  
21          appears in such directory, index, or list provides, in  
22          writing, to such person express prior authorization  
23          for the publication, marketing, or dissemination of  
24          such information.

1           “(3) PREEMPTION.—This subsection shall not  
2           be construed as superseding, altering, or affecting  
3           any statute, regulation, order, or interpretation in  
4           effect in any State, except to the extent that such  
5           statute, regulation, order, or interpretation is incon-  
6           sistent with the provisions of this subsection, and  
7           then only to the extent of the inconsistency. A State  
8           statute, regulation, order, or interpretation is not in-  
9           consistent with the provisions of this subsection if  
10          the protection such statute, regulation, order, or in-  
11          terpretation affords any resident of the United  
12          States is greater than the protection provided under  
13          this subsection.

14           “(4) DEFINITIONS.—In this subsection:

15           “(A) WIRELESS TELEPHONE NUMBER IN-  
16           FORMATION.—The term ‘wireless telephone  
17           number information’ means the telephone num-  
18           ber, electronic address, and any other identi-  
19           fying information by which a calling party may  
20           reach a commercial mobile services customer,  
21           and which is assigned by a commercial mobile  
22           service provider to such customer, and includes  
23           the name and address of such customer.

24           “(B) WIRELESS DIRECTORY ASSISTANCE  
25           SERVICE.—The term ‘wireless directory assist-

1           ance service' means any service for connecting  
2           calling parties to a commercial mobile service  
3           customer when such calling parties themselves  
4           do not possess the wireless telephone number  
5           information of such customer.”.

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