
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 10

Session of
1995

INTRODUCED BY D. R. WRIGHT, M. COHEN, DeLUCA, PESCI, STABACK,
MILLER, ROBERTS, TRELLO, WOGAN, CIVERA, PRESTON, CLARK AND
YOUNGBLOOD, JANUARY 23, 1995

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,
JANUARY 23, 1995

A RESOLUTION

1 Memorializing Congress to authorize Caller Identification
2 telephone service.

3 WHEREAS, The telecommunications service entitled Caller
4 Identification (Caller ID) was enacted into law on December 22,
5 1993, 66 Pa.C.S. § 2906 (relating to dissemination of telephone
6 numbers and other identifying information); and

7 WHEREAS, 66 Pa.C.S. § 2906 establishes the Caller ID service
8 in this Commonwealth with the privacy protections of free per-
9 call and per-line blocking in accordance with 18 Pa.C.S. Ch. 57
10 (relating to wiretapping and electronic surveillance) and
11 Barasch v. Bell Telephone Co., 529 Pa. 523 (1992); and

12 WHEREAS, Telephone companies that operate within this
13 Commonwealth have filed tariffs with the Pennsylvania Public
14 Utility Commission to offer Caller ID service to their customers
15 in accordance with the requirements of 66 Pa.C.S. § 2906; and

16 WHEREAS, The Federal Communications Commission has issued a
17 Report and Order and Further Notice of Proposed Rulemaking in

1 the matter of rules and policies regarding calling number
2 identification service, Caller ID, on March 29, 1994; and

3 WHEREAS, The Federal Communications Commission preempts state
4 regulation of Caller ID as follows: states may not prohibit
5 automatic per-call blocking for interstate calls, require a
6 blocking alternative for interstate calls different from the one
7 adopted in the order, or prohibit the offering of interstate
8 Caller ID services; and

9 WHEREAS, The Federal Communications Commission's preemption
10 of state authority is inconsistent with 66 Pa.C.S. § 2906, 18
11 Pa.C.S. Ch. 57 and Barasch v. Bell Telephone Co.; and

12 WHEREAS, The Federal Communications Commission's order denies
13 the citizens of this Commonwealth necessary per-line blocking
14 options because telephone companies of this Commonwealth
15 indicate that it is not technically feasible to implement
16 different blocking standards for interstate and intrastate
17 calls; and

18 WHEREAS, The Federal Communications Commission's order also
19 denies vital privacy protections that presently exist in 66
20 Pa.C.S. § 2906 to the citizens of this Commonwealth; and

21 WHEREAS, The Federal Communications Commission fails to
22 address the effect of its Federal privacy policy or the
23 constitutionally protected privacy rights guaranteed under the
24 Constitution of Pennsylvania; and

25 WHEREAS, The Federal Communications Commission fails to
26 recognize that over 40 states, including this Commonwealth, have
27 authorized some form of per-line blocking with the provision of
28 Caller ID service which accommodates the specific privacy and
29 legal interests of their citizens; and

30 WHEREAS, The timing of the Federal Communications

1 Commission's order on Caller ID is inappropriate because
2 numerous states have provided for Caller ID service with
3 specific privacy protections unique to their jurisdictions; and
4 WHEREAS, The Federal Communications Commission has not
5 demonstrated that preemption of state authority on per-line
6 blocking mechanisms for Caller ID will threaten the viability of
7 interstate Caller ID; therefore be it

8 RESOLVED, That the House of Representatives memorialize
9 Congress to take such action as is necessary to prohibit the
10 Federal Communications Commission from implementing its March
11 29, 1994, order concerning Caller ID service; and be it further

12 RESOLVED, That the House of Representatives memorialize
13 Congress to direct the Federal Communications Commission to
14 "grandfather" the existing state laws and telephone tariffs that
15 exist at the effective date of the order so that Caller ID can
16 be offered throughout the United States with vital privacy
17 protections; and be it further

18 RESOLVED, That copies of this resolution be transmitted to
19 the presiding officers of each house of Congress and to each
20 member of Congress from Pennsylvania.