



# THE COMMITTEE ON ENERGY AND COMMERCE

## MEMORANDUM

July 22, 2014

To: Members, Subcommittee on Communications and Technology

From: Majority Committee Staff

Re: A legislative hearing on H.R. 3670, the Anti-Spoofing Act of 2013, H.R. \_\_\_\_, the LPTV and Translator Act of 2014, and H.R. \_\_\_\_, the E-LABEL Act

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The Subcommittee on Communications and Technology will hold a hearing on Thursday, July 24, 2014, at 10:15 a.m. in 2322 Rayburn House Office Building. The hearing is entitled “A legislative hearing on H.R. 3670, the Anti-Spoofing Act of 2013, H.R. \_\_\_\_, the LPTV and Translator Act of 2014, and H.R. \_\_\_\_, the E-LABEL Act.”

### I. WITNESSES

Witnesses will be announced.

### II. LEGISLATION

#### *H.R. 3670, the Anti-Spoofing Act of 2013*

Spoofing is a practice in which a phone number shown on a phone or caller identification device deliberately is falsified. Spoofing is a commonly used tool for a number of illegal practices, including phishing for personal information and “swatting” – calling in a fictitious crime in progress in order to generate a police response. The Truth in Caller ID Act of 2009 prohibits spoofing voice caller identification.

As communications methods and consumer habits continue to evolve, so do the attempts by third parties to fraudulently gain personal information for criminal use. Many Americans are now relying on text messaging to stay connected. According to CTIA, in 2013, Americans sent over 153 billion text messages per month. H.R. 3670, the Anti-Spoofing Act of 2013, extends the provisions of the Truth in Called ID Act to text messaging. The legislation, introduced by Rep. Meng and Rep. Barton, also addresses the growth of services that allows a user to knowingly transmit misleading or inaccurate caller identification information by adding a definition of “spoofing service,” to the Truth in Caller ID Act.

#### *H.R. \_\_\_\_, the LPTV and Translator Act of 2014*

The Subcommittee also will consider a discussion draft of “The LPTV and Translator Act of 2014” offered by Rep. Barton. Low-power television (LPTV) licensees operate broadcast stations that operate at a lower transmit power and serve smaller service areas than full-power and class A stations. LPTV stations often offer programming designed for a specific group of viewers, such as religious groups, academic communities, and ethnic minorities. Translators, however, generally operate at full power and are used to extend the reach of an existing broadcast signal. While translators are used across the country, they are most popular in the mountain west, where terrain presents unique challenges for over-the-air reception.

The discussion draft addresses how the Federal Communications Commission (FCC) would treat low-power television stations and how television translator stations are to be treated in the FCC’s forthcoming broadcast incentive auction. The broadcast incentive auction is a first of its kind auction, authorized by Congress in the Middle Class Tax Relief and Job Creation Act of 2012, that will provide full-power and class A broadcast licensees the opportunity to relinquish their licenses or channel share in exchange for a portion of auction proceeds. Low-power television and translator licensees are not eligible to participate in the incentive auction.

The LPTV and Translator Act seeks to ensure that the FCC properly considers the value of LPTV and translators to local communities and would permit licensees displaced by the incentive auction to petition the FCC to continue to stay on the air once the incentive auction process is complete.

*H.R. \_\_\_\_, the E-LABEL Act*

Generally, equipment that is licensed by the FCC for compliance with Commission RF rules are required to have a physical label that details, among other things, the FCC ID that identifies the devices as authorized for use in the United States. The specific requirements vary depending on the type of device and its equipment authorization procedure. As these devices become smaller in physical size, it is increasingly difficult for manufacturers to comply with the physical labeling requirements. The E-LABEL Act, sponsored by Rep. Latta, would allow devices with integrated screens, like smartphones, to comply with labeling requirements by displaying a digital label on the screen of the device rather than a physical label on the device itself.

The E-LABEL Act, and the Senate companion, S. 2583, introduced by Sen. Fischer (R-NE) on July 10, 2014, are consistent with the FCC’s July 11, 2014, guidance to manufacturers on the use of e-labels.

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*If you need more information, please call David Redl or Charlotte Savercool at 5-2927.*