

Rep. Grace Meng (NY-06)

H.R. 3670 “Anti-Spoofing Act of 2013”; H.R. ____, the “LPTV” and Translator Act of 2014; and H.R. ____, the “E-LABEL Act”

Subcommittee on Communications and Technology

Congressional Testimony

Chairman Walden, Ranking Member Eshoo, and Members of the Subcommittee, thank you for holding this hearing on my bill H.R. 3670, the Anti-Spoofing Act, which I sponsored along with Mr. Barton, Mr. Lance, and 7 other Republican and 7 Democratic Members of this subcommittee. I also thank you for inviting me to discuss the bill today; it is a great honor to appear before such an esteemed panel. We address today the problem of “caller ID spoofing,” which is the scrambling of caller identification numbers; it is a tool often used to defraud unwitting recipients of phone calls and text messages.

It is often stated that the measure of a society is how it treats its most vulnerable. Almost every day, I receive new reports of caller ID spoofing that harms the most vulnerable in our society. We have reports of widespread caller ID spoofing of new immigrants, which is why USCIS recently issued a formal scam alert on caller ID spoofing. And we have reports of widespread targeting of seniors, which is why the AARP wrote a letter in support of this legislation. Veterans are primary targets as well. Caller ID spoofing is also fracturing the trust built between communities and local law enforcement, because scammers are falsely using police departments’ phone numbers to trick residents. For this reason, the Major Cities Chiefs Association and Major County Sheriffs Association have endorsed this legislation. I even saw the Chicago Tribune reported on Monday that the families of the unaccompanied minors at the border are being targeted by caller ID spoofing. I mention this not to wade into the border

security debate, but rather to underscore the point that if there's a vulnerable or weak population among us, it is likely they are being targeted by caller ID spoofing.

Shortly after entering Congress, I pursued this issue because of complaints from a local civic organization and seniors in my district. But I quickly realized it is affecting Americans in all corners of our country, in all of our districts.

This past tax season, a huge scam was revealed whereby caller ID spoofing was used to dupe tens of thousands of Americans nationwide into thinking they were being contacted by the IRS, which they were not. I've had very good conversations with many of you on the subcommittee about pervasive caller ID spoofing in your own districts, and I think the fact that this is plaguing so many of our communities is a big reason why we have so much bipartisan support here today.

H.R. 3670 is an update to the Truth In Caller ID Act of 2009. That legislation first criminalized malicious caller ID spoofing. But since the passage of that law, scammers have used legal loopholes and new technologies to circumvent it; thus, malicious caller ID spoofing is on the rapid rise again. So it's time to strengthen and tighten existing law, and shut down the routes by which it is being circumvented. And that's what our bill does. There are three main parts to H.R. 3670, and I'll review them briefly now.

Firstly, the bill broadens current law to prohibit caller ID spoofing from foreigners. This is crucial because U.S.-based companies now spoof calls to U.S. residents with intent to do harm, but originate such calls from outside the United States.

Secondly, the bill broadens current law to include new internet-based Voice Over IP services that enable callers to make outgoing-only calls from computers and tablets to mobile

and landline phones. This is a technology that was undeveloped in 2009 when the Truth In Caller ID Act was adopted, and therefore unaccounted for in the law. But it has now grown, and has contributed significantly to the caller ID spoofing problem.

Finally, our bill broadens current law to include text messaging. We all know this technology has developed, and we thus see text message caller ID spoofing with increasing regularity.

I also want to note that current law and H.R. 3670 only pertain to caller ID spoofing with intent to defraud or cause harm. Sometimes caller ID spoofing can be applied beneficially and benignly, and we've taken great care to exclude such cases from the legislation.

In closing, I'd like to once again thank the committee for considering this legislation, and for giving the time of day to a freshman who's not a member of the committee. This process has been a wonderful and inspiring experience for me – to take a problem I heard from my constituents and work through the legislative process in such a positive and bipartisan fashion to try and solve that problem.

I'd especially like to thank Mr. Barton and Mr. Lance for working with me to write this bill, Chairman Walden and Ranking Member Eshoo for all their guidance, leadership, and support, and all the subcommittee cosponsors, who were instrumental in bringing about consideration of this bill. I'd like to thank the witnesses who came to speak today. And of course the committee and personal staffs who have done such terrific work here. I look forward to continuing to work with the committee on this issue and legislation. Thank you.