



STATEMENT OF AT&T CONNECTICUT

Regarding Raised House Bill No. 6513 An Act Concerning Spoofing Before the Committee on Energy and Technology February 26, 2009

Proposal:

Raised House Bill No. 6513 would prohibit people from using a device to alter the caller ID information on a recipient's phone to display a false phone number or name and make such an act an unfair trade practices act.

Comments:

While AT&T is generally supportive of the legislation, we would urge the committee to amend the language to make clear that spoofing would only be a violation of the law when done with intent to defraud or to cause harm.

Two separate and important privacy interests are involved in the issue of caller ID spoofing. First, there is the right for call recipients to be free from pre-texting and other fraud. Second, there is the right of callers to limit the disclosure of their phone numbers in order to protect their privacy and, in some cases, their safety. Both are equally important rights which should be cared for in the legislation before you. No doubt, parties which use spoofing with the intent to commit fraud by pretending to be calling from a consumer's bank, for example, in order to gain personal information, like a social security number, to commit identity theft should have their actions held accountable and punishable under the law. At the same time, however, parties may use spoofing to protect their own personal information from being shared when they call another party and that action should not be a violation of the law.

The United States House of Representatives and Senate have both introduced legislation regarding spoofing in the last two years. While the House version of the legislation did not initially include language making clear that spoofing was only a violation of the law when done with criminal intent, the Electronic Privacy Information Center, a non-partisan public interest research center, recommended such a change and language was subsequently added. In addition, the Senate proposal was amended to also include such language. We would urge the committee to likewise include language limiting its applicability to when there is intent to defraud or cause harm.

Conclusion:

AT&T is supportive of the intent of the legislation but recommends that the committee add language making clear that there would only be a violation of the law when there is intent to defraud or cause harm so as to not criminalize legitimate actions by people to protect their personal information.