



**DALE KOOYENGA**  
STATE SENATOR · 5<sup>TH</sup> DISTRICT

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November 14, 2019

TO: Members of the Senate Committee on Government Operations, Technology and Consumer Protection

FROM: Senator Dale Kooyenga

RE: Support for Senate Bill 132

Thank you for hearing Senate Bill 132, relating to caller ID spoofing.

The Wisconsin Bureau of Consumer Protection has identified telemarketing as the number one consumer complaint. The most dangerous of telemarketing calls consist of illegitimate callers attempting to steal money or personal information from susceptible consumers. These bad actors utilizing “spoofing,” through the use of technology to display an inaccurate number on an individual’s caller ID.

SB 132 incorporates federal law into state statute by prohibiting the intentional falsification of information that is transmitted to a caller ID display if done with the intent to defraud, cause harm, or wrongfully obtain anything of value. No person may knowingly transmit misleading or inaccurate caller ID information with the intent to defraud, cause harm, or wrongfully obtain anything of value.

A person who violates any of these prohibitions is subject to a civil forfeiture of \$100 to \$10,000.

The bill also includes an amendment that removed a previous provision allowing telecommunication services to block transmission of telephone calls under certain circumstances. Senate Amendment 1 clarifies that the telecommunication service providers have the ability under federal law and regulations to block calls under the same circumstances as were addressed in the original bill.

As technological advances continue to provide manipulative telemarketers more offensive tools, it is essential that Wisconsin strengthens its laws and increases its penalties to combat the scam, fraud, and identity theft oppressing its citizens.

Thank you again for hearing SB 132 and I respectfully ask for your support.



# JOE SANFELIPPO

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November 14, 2019

## State Rep. Joe Sanfelippo's Testimony on SB 132: Caller ID Spoofing

Chair Stroebel and committee members, thank you for holding a public hearing on 2019 Senate Bill 132, relating to caller ID spoofing and for inviting me to speak to you today.

Citizens across Wisconsin have reported experiencing an increasingly high number of telemarketing calls on a regular basis. Receiving these calls is often irritating, as evidenced by unsolicited telemarketing being the number-one consumer complaint received annually by the Wisconsin Department of Agriculture, Trade and Consumer Protections (DATCP), with 4,860 complaints registered in 2018 alone. More than simply being a nuisance, however, these calls are often used in furtherance of scams, fraud, and identity theft. In order to conceal or misrepresent their identity, telemarketers have increasingly relied on manipulations to their caller ID listings by blocking the recipient's caller ID from displaying a phone number or engaging in a practice known as "spoofing," through which the caller relies on technology to display an inaccurate number on the recipient's caller ID.

SB 132 directly addresses these problems by making it illegal for telephone solicitors to spoof for any purpose. This bill also incorporates federal law into state statute by prohibiting anyone from intentionally spoofing their caller ID display if done with the intent to defraud, cause harm, or wrongfully obtain anything of value. Additionally, consistent with federal regulations requiring telemarketers to display a contact number, this bill prohibits telephone solicitors from blocking their caller ID record altogether.

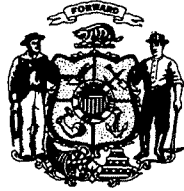
Taken together, these provisions address the ongoing problem of consumers getting calls seemingly from a local number, perhaps from the number of a known friend or other trusted entity like the IRS, yet it turning out to actually be a telemarketer from a distant call center offering unsolicited products or, worse, promoting a scam. Under SB 132, these activities are prohibited by state law and subject to a penalty of up to \$10,000 per violation.

To be clear, however: there are many perfectly valid reasons for telephone number spoofing by consumers, such as displaying their office phone number from their personal cell phone. As long as there is no malicious intent by the consumer to spoof in order to defraud, cause harm, or wrongfully obtain anything of value, this bill does not impact those existing consumer use cases at all.

This bill also clarifies that, consistent with federal rules, a telecommunications provider may actually block calls so that they do not reach the called party if: the originating number is not valid, is not allocated to a provider, or is confirmed by the provider to be unused; or if the person who owns the phone number has asked that the outgoing calls claiming to be from that number be blocked.

Thank you for your time today, and I urge you to pass this important bill to curb abusive telemarketing practices and give consumers across Wisconsin the peace of mind to answer the phone again.

A handwritten signature in black ink, appearing to read "Joe Sanfelippo". The signature is fluid and cursive, written over a light-colored background.



## **ROBERT W. WIRCH**

STATE SENATOR TWENTY-SECOND DISTRICT

I want to thank Chairman Stroebel and the committee members for holding a hearing on this bill.

Transmitting false caller ID information, known as “spoofing”, is a serious and growing problem that is another harmful tool in the toolbox of both legal telemarketers and scammers. Through spoofing, telemarketers and scammers can fool consumers into believing the caller is a neighbor, friend or another trusted source like law enforcement or utility company. It’s gotten to the point that spoofers are even using a caller’s own name and number on the caller ID, as recently happened to my wife and me.

Unwanted calls have been the most common consumer complaint for many years now, and with the proliferation of spoofing, the problem is getting worse. Senate Bill 132 will provide consumers with some peace of mind when answering their telephones.