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June 22, 2009

Chairman
John Donovan
AT&T

The Honorable Henry A. Waxman
Chair
Committee on Energy and Commerce
United States House of Representatives

First Vice Chairman
Nick Adamo
Cisco Systems

The Honorable Joe Barton
Ranking Member
Committee on Energy and Commerce
United States House of Representatives

Second Vice Chairman
Mark Wegleitner
Verizon

The Honorable John Conyers, Jr.
Chair
Committee on the Judiciary
United States House of Representatives

Secretary
Matt Bross
British Telecom Group

The Honorable Lamar Smith
Ranking Member
Committee on the Judiciary
United States House of Representatives

Treasurer
Harald Braun
Harris Stratex Networks

Re: H.R., "Preventing Harassment through Outbound Number Enforcement Act of 2009" (PHONE Act)

President & Chief
Executive Officer
Susan M. Miller
ATIS

Dear Messrs. Waxman, Barton, Conyers and Smith:

Vice President of
Finance & Operations
William J. Klein
ATIS

The Alliance for Telecommunications Industry Solutions (ATIS), on behalf of its Telecommunications Fraud Prevention Committee (TFPC), is writing to express its strong support for H.R. 1110, "Preventing Harassment through Outbound Number Enforcement Act of 2009" (PHONE Act). The telecommunications industry is seeing more and more instances of Caller ID spoofing being used to harass, threaten, and promote illegal activities. Caller ID spoofing has also been used to endanger public safety by allowing individuals to send false Caller ID information to E9-1-1 operators, thereby causing public safety agencies to devote resources to non-existent emergencies. The PHONE Act would prohibit such misuse of caller identification services.

ATIS is a technical planning and standards development organization that develops and promotes technical and operational standards for communications

Standards that Drive the Business of Communications

and related information technologies worldwide using a pragmatic, flexible, and open approach. Industry professionals representing more than 250 companies from all segments of the communications industry actively participate in ATIS' open industry committees and forums. The ATIS TFPC, which is composed of leading fraud prevention experts from the nation's local telephone companies and interexchange carriers, works to resolve issues involving fraud impacting the telecommunications industry.

The ATIS TFPC supports the legislation's prohibition against users of telecommunications or IP-enabled voice services knowingly causing caller identification services to provide misleading or inaccurate caller information with the intent to defraud, cause harm, or wrongfully obtain anything of value. Currently, the telecommunication industry's hands are tied in dealing with entities that promote Caller ID spoofing as there is no explicit prohibition on the provision or use of such services. Without an explicit prohibition, unscrupulous individuals and businesses can continue to employ Caller ID Spoofing as a means of furthering their unlawful activities.

Below are some recent examples of how the spoofing of Caller ID can be used for illegal activities and to otherwise harm consumers:

- Identity Theft
 - Financial Institutions: There is a known issue of identity thieves utilizing Caller ID Spoofing to acquire access information to banking and brokerage accounts from unsuspecting citizens.
 - ID Theft Scam: A jury duty identification theft scam employed Caller ID Spoofing to make calls appear as if they came from a local courthouse. Unsuspecting consumers received fraudulent calls notifying them they missed jury duty. The consumers are told they can avoid prosecution and quickly resolve the situation by providing their Social Security numbers and other personal identifying information. This could lead to general identification theft, financial theft, and voter fraud.
- Law Enforcement Issues
 - Swatting: Often used to harass and terrorize unknowing consumers. Phone hackers have utilized Caller ID Spoofing technology to place calls to emergency service centers (E9-1-1) which cause emergency response teams to be dispatched to particular locations. By spoofing the Caller ID, the call is believed to have originated from the reported location and emergency services are dispatched to that location. There have even been instances in which horrified residents find that SWAT teams have been dispatched to their homes, a situation that can be extremely dangerous for both law enforcement and the resident.
 - Stalking: A stalker will use spoofing to harass and terrorize a person while hiding their identity and location. This anonymous persecution can undermine protective orders issued by courts.

- Do Not Call Registry
 - Telemarketing: In order to avoid the restrictions imposed by the Telephone Consumer Protection Act (TCPA) and the “National Do Not Call Registry,” some telemarketers use Caller ID spoofing to hide the numbers associated with the company from consumers. With the use of spoofing services, the company information and phone number of the calling party is not readily available to the consumer and thus inhibits the ability to file a complaint with the appropriate agency for violations of the Registry.

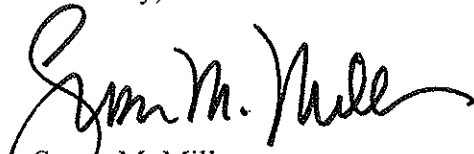
- Theft of Service
 - By using spoofed numbers a person with a criminal intent of stealing services can disguise their identity and secure, through what appears to be lawful means, services and products from an unsuspecting business entity. In most cases, the theft would not be recognized until considerable potential harm is done to the unsuspecting business.

Caller ID Spoofing services are readily available today from a number of providers. Without proper restrictions on the use of these services, the number of providers will increase as will the instances in which these services are used to place harassing and terrorizing calls, engage in social engineering, swatting and illegal telemarketing practices. The end result is the number of consumers victimized by Caller ID spoofing scams will continue to grow.

We urge that you take swift action to pass the PHONE Act. This action will help put an end to the practice of falsification of Caller ID with the intention to defraud or cause harm.

If you have any questions or would like additional information regarding this matter, please feel free to contact the undersigned. Representatives of the ATIS TFPC would be happy to meet with your offices to provide any further information that you might require or to answer any questions you might have.

Sincerely,



Susan M. Miller
President and CEO
ATIS