



**Testimony of
JAKE LESTOCK
CTIA**

In Opposition to Senate Bill 90

Before the Maryland Senate Finance Committee

February 1, 2023

Chair, and members of the committee, on behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony in opposition to Senate Bill 90. This bill would create new requirements to try to stifle illegal and unwanted robocalls by putting in place new restrictions on companies utilizing automated call technology and making violations of this legislation subject to the enforcement and penalties under the Maryland Consumer Protection Act. CTIA members are committed to protecting consumers from illegal and unwanted robocalls. The wireless industry works tirelessly to minimize the negative impact of robocalls and unsolicited texts, while also supporting legal automated calls and texts. While we wholeheartedly agree with the state's interest in protecting consumers from spam calls and messages, there are a few issues with this legislation as currently written that could have unintended consequences on Maryland businesses. We look forward to working with the bill sponsor and the committee to ensure that this legislation properly protects Maryland consumers from bad actors, without creating uncertainty and harm to legitimate, law-abiding businesses.



Stakeholders across the wireless ecosystem are working to help consumers combat these problematic illegal, intrusive, and annoying robocalls. A multi-pronged effort is needed to combat illegal robocalls. Wireless carriers monitor traffic across their networks to identify patterns like high-call volumes and short call durations that may be signs of bad actors. Moreover, voice service providers are in communication with each other to help identify illegal callers for referral to the appropriate federal and state enforcement authorities.

In addition to the numerous sophisticated analyses wireless providers use every day to block unwanted calls and investigate bad actors, the industry has developed new initiatives and technologies to further address the issue. Wireless providers, including AT&T, Verizon and T-Mobile, have helped develop and deploy caller ID authentication technology that works to combat illegal spoofing. STIR/SHAKEN, or Secure Telephone Identity Revisited and Signature-based Handling of Asserted Information Using toKENs, is a framework of interconnected standards where wireless providers digitally validate a variety of calls, allowing a provider to verify the caller and the caller's right to use the phone number. The idea behind STIR/SHAKEN is to allow consumers to once again trust their Caller ID by having voice service providers sign their subscribers' telephone numbers with a digital signature to ensure the calling number of a telephone call has not been tampered with. In other words, it helps confirm the call is from the person the caller ID says it is from.

CTIA and the wireless industry also work closely with enforcers at the Federal Communications Commission (FCC), the Federal Trade Commission (FTC), the Department of



Justice, and at the state level to stop illegal robocalls. To aid enforcement efforts, wireless companies participate in the Industry “Traceback” Group that works with the FCC and the FTC to identify the source of illegal calls.¹ Additionally, national wireless carriers, along with other voice service providers, currently have a partnership with 51 attorneys general that adopted eight principles to fight illegal robocalls.² This partnership is a reaffirmation of the commitment made by providers, such as AT&T, T-Mobile, and Verizon, to aggressively fight illegal and unwanted robocalls. Specifically, those carriers agreed to incorporate, or continue to incorporate, the following anti-robocall principles into their business practices:

- Offer Free Call Blocking and Labeling
- Implement STIR/SHAKEN
- Analyze and Monitor Network Traffic
- Investigate Suspicious Calls and Calling Patterns
- Confirm the Identity of Commercial Customers
- Require Traceback Cooperation in Contracts
- Cooperate in Traceback Investigations
- Communicate and cooperate with state attorneys general about recognized scams and trends in illegal robocalling

Furthermore, the wireless industry continues to educate consumers on ways to curb unwanted robocalls with blocking features and tools that can identify likely “spam” or fraudulent calls. For example, CTIA and its member companies encourage consumers to use blocking features built into devices, install robocall blocking and labeling apps, and report unwanted calls to the FTC and the FCC through their online portals. CTIA has also launched a

¹ See <https://tracebacks.org/>.

² See <https://www.maine.gov/ag/news/article.shtml?id=1452907> (last accessed Jan. 6, 2023).



dedicated consumer resource at [FightingRobocalls.CTIA.org](https://fightingrobocalls.ctia.org) to provide consumers with the information and tools needed to help combat illegal robocalls.

CTIA is also concerned that the language in SB 90 is overbroad and could result in unintended consequences for law-abiding businesses in Maryland. Specifically, the current definitions regarding automated systems is too broad and vague. Currently, the definitions could arguably cover any software platform that generates a call list from a database based on certain selection criteria, regardless of whether the software platform actually dials the numbers. This would create uncertainty for any business – including small businesses – trying to communicate with its own customers. Accordingly, SB 90 may dissuade companies from making calls and texts to their existing customers in compliance with existing laws. For example, a doctor’s office hesitating to send a refill reminder for a prescription refill to avoid potential legal action.

The wireless industry recognizes the need to fight unwanted and illegal robocalls and combat illegal caller ID spoofing. That is why our industry has taken proactive steps to provide and/or offer solutions to combat these troubling practices, and why we work together with interested stakeholders, including state attorneys general, the FCC, and the FTC, to protect consumers. Our industry looks forward to continued collaboration with Maryland and this committee to make sure legislation adequately targets bad actors and limits unwanted robocalls while also avoiding any unintended consequences. Thank you for your time and we look forward to working with you further on SB 90.