

pervasive use of misleading tactics by even some of the Web's most prominent, trusted retailers. The committee concluded that while consumers are heavily involved in Internet commerce, they are struggling to stay free of unwanted charges on their credit cards or their debit cards.

The bill now before the House focuses on two common deceptive tactics: post-transaction marketing and "data pass."

Post-transaction marketing occurs when a consumer purchasing something from a trusted vendor is presented with offers from unrelated sellers promising savings on the initial transaction as well as future purchases. These third-party sellers often do not make clear that they are distinct entities and that agreeing to their offer constitutes a wholly separate transaction with an entirely new set of terms. The legislation would bring these transactions into the light and make them much easier for consumers to follow. It would also put an end to "data pass" during these transactions, in which the first seller shares a consumer's credit card number with the third-party seller without the knowledge or consent of the consumer. The legislation returns to consumers the power to control when and with whom their sensitive financial information is shared.

The Restore Online Shoppers' Confidence Act, as passed by the Senate, serves to protect the consumer in the online marketplace.

I want to say thank you to Senator ROCKEFELLER, the chief sponsor of the measure in the other body, and to his staff for their determined work, as well as to Congressman SPACE, on our Energy and Commerce Committee, for his sponsorship of this measure in the House.

Through this legislation, consumers will be empowered to make smart decisions online and protect their bank accounts. I urge strong support for the passage of the bill.

Madam Speaker, I reserve the balance of my time.

Mr. TERRY. Madam Speaker, unfortunately, I rise today in opposition to S. 3386, the Restore Online Shoppers' Confidence Act. This bill would regulate e-commerce, specifically, negative option marketing and third-party billing.

The Committee on Energy and Commerce has not held a single hearing or markup on this legislation or any legislation similar in concept. Furthermore, it has been less than 2 weeks since the majority first raised the issue with minority staff and informed us of their intentions to place this bill on the suspension calendar.

We have not held a single stakeholders meeting regarding this legislation, nor have we spoken with the Federal Trade Commission about how they would implement this legislation or if they feel it is necessary. In fact, we had not one single stakeholder call,

email, or letter or one single call, email, or letter from the regulator on this issue until Monday. Since then, we have received a number of stakeholder calls voicing concerns with the legislation. However, without holding any hearings or meetings, we can't properly evaluate these concerns.

As has been aptly demonstrated by the majority's health care bill and the CPSIA, the consumer protection bill that we've had to make several changes to, the heavy hand of Federal regulation is prone to producing unforeseen and unacceptable consequences on the Nation's economy.

On its face, this may not be something we'd oppose if we had a record to prove it's necessity and to inform us as to the proper way to address the potential problems that this bill is meant to solve, but we have absolutely no record on this matter; and the House, therefore, cannot responsibly pass this bill to the President's desk to become law.

House Republicans are more than willing to work with our counterparts on the other side of the aisle and with our colleagues in the Senate next Congress to build a record and address if this issue is proven necessary. Based solely on a complete lack of process, not necessarily the merits, but on the process, I urge opposition to this legislation.

□ 1210

Madam Speaker, in closing, I want to commend Mr. BOUCHER, the telecom chair. He has been an awesome chair for telecom, in fact, I would have to say in the United States House of Representatives, and I am even going to throw in the Senate. He is by far the most informed and educated on telecom Internet issues. So when RICK BOUCHER stands up to discuss an issue that affects e-commerce and the Internet, we listen.

It is unfortunate that we are having a debate on this bill on process and not on the merits, because on the merits we are going to listen to RICK BOUCHER. And I just want to thank him for his service to Congress, his tutelage towards me on telecom issues in Congress. I for one, and I can say all of us on the Energy and Commerce Committee, are going to miss RICK BOUCHER next term.

I yield back the balance of my time. Mr. BOUCHER. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I want to express appreciation for the gentleman from Nebraska for those very kind comments, and I want to also say what a privilege it has been working with him. He and I together have structured a number of items of legislation.

For example, we advanced to the Energy and Commerce Committee a measure that comprehensively reforms the Federal Universal Service Fund and has obtained the endorsement of virtually all of the stakeholders who have expressed interest in that very complex subject. It has been a pleasure

working with the gentleman as that work has been undertaken.

His comments are really humbling to me, and I want to thank him for saying those things and just express what a privilege it has been for me to work with the gentleman and with all members of the Energy and Commerce Committee during these 28 years. It has been a service that will certainly be the high point of my career, and I thank all members for their many courtesies.

Madam Speaker, I strongly encourage the passage of this legislation.

I yield back the balance of my time.

Mr. TERRY. Madam Speaker, I ask unanimous consent to reclaim my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. TERRY. At this time, I will yield such time as he may consume to the ranking member of the Energy and Commerce Committee from Texas, JOE BARTON.

Mr. BARTON of Texas. Thank you.

Madam Speaker, I apologize. I was in my office and listening to the debate. I heard my distinguished senior Republican rise in reluctant opposition to the bill. I had had a conversation which Mr. TERRY was not aware of with the chairman of the committee, Mr. WAXMAN, in which I expressed the same concerns that Mr. TERRY expressed, but because of the policy implications of the bill, agreed that it should be supported. I told him that I would encourage the Republicans on the committee and in the full House to support it. Mr. TERRY did not know that, and he was doing what we had decided before I talked to Mr. WAXMAN.

I would not normally rush to the floor; but given that I had given my word to Chairman WAXMAN, I felt the necessity to express to the subcommittee chairman, Mr. BOUCHER, that while we agree with all the process arguments that Mr. TERRY enunciated and think they are very valid, the policy in the bill is good policy, and I would ask that it be supported for that reason.

I thank the gentleman from Nebraska for yielding.

Mr. TERRY. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, S. 3386.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TRUTH IN CALLER ID ACT OF 2009

Mr. BOUCHER. Madam Speaker, I move to suspend the rules and pass the

bill (S. 30) to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

The Clerk read the title of the bill.
The text of the bill is as follows:

S. 30

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Caller ID Act of 2009".

SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALLER IDENTIFICATION INFORMATION.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection:

“(e) PROHIBITION ON PROVISION OF INACCURATE CALLER IDENTIFICATION INFORMATION.—

“(1) IN GENERAL.—It shall be unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value, unless such transmission is exempted pursuant to paragraph (3)(B).

“(2) PROTECTION FOR BLOCKING CALLER IDENTIFICATION INFORMATION.—Nothing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

“(3) REGULATIONS.—

“(A) IN GENERAL.—Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission shall prescribe regulations to implement this subsection.

“(B) CONTENT OF REGULATIONS.—

“(i) IN GENERAL.—The regulations required under subparagraph (A) shall include such exemptions from the prohibition under paragraph (1) as the Commission determines is appropriate.

“(ii) SPECIFIC EXEMPTION FOR LAW ENFORCEMENT AGENCIES OR COURT ORDERS.—The regulations required under subparagraph (A) shall exempt from the prohibition under paragraph (1) transmissions in connection with—

“(I) any authorized activity of a law enforcement agency; or

“(II) a court order that specifically authorizes the use of caller identification manipulation.

“(4) REPORT.—Not later than 6 months after the enactment of the Truth in Caller ID Act of 2009, the Commission shall report to Congress whether additional legislation is necessary to prohibit the provision of inaccurate caller identification information in technologies that are successor or replacement technologies to telecommunications service or IP-enabled voice service.

“(5) PENALTIES.—

“(A) CIVIL FORFEITURE.—

“(i) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraphs (3) and (4) of section 503(b), to have violated this subsection shall be liable to the United States for a forfeiture penalty. A forfeiture penalty under this paragraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this paragraph shall not exceed \$10,000 for each

violation, or 3 times that amount for each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$1,000,000 for any single act or failure to act.

“(ii) RECOVERY.—Any forfeiture penalty determined under clause (i) shall be recoverable pursuant to section 504(a).

“(iii) PROCEDURE.—No forfeiture liability shall be determined under clause (i) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4).

“(iv) 2-YEAR STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person under clause (i) if the violation charged occurred more than 2 years prior to the date of issuance of the required notice or notice or apparent liability.

“(B) CRIMINAL FINE.—Any person who willfully and knowingly violates this subsection shall upon conviction thereof be fined not more than \$10,000 for each violation, or 3 times that amount for each day of a continuing violation, in lieu of the fine provided by section 501 for such a violation. This subparagraph does not supersede the provisions of section 501 relating to imprisonment or the imposition of a penalty of both fine and imprisonment.

“(6) ENFORCEMENT BY STATES.—

“(A) IN GENERAL.—The chief legal officer of a State, or any other State officer authorized by law to bring actions on behalf of the residents of a State, may bring a civil action, as parens patriae, on behalf of the residents of that State in an appropriate district court of the United States to enforce this subsection or to impose the civil penalties for violation of this subsection, whenever the chief legal officer or other State officer has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this subsection or a regulation under this subsection.

“(B) NOTICE.—The chief legal officer or other State officer shall serve written notice on the Commission of any civil action under subparagraph (A) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

“(C) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subparagraph (B), the Commission shall have the right—

“(i) to intervene in the action;

“(ii) upon so intervening, to be heard on all matters arising therein; and

“(iii) to file petitions for appeal.

“(D) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this paragraph shall prevent the chief legal officer or other State officer from exercising the powers conferred on that officer by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

“(E) VENUE; SERVICE OR PROCESS.—

“(i) VENUE.—An action brought under subparagraph (A) shall be brought in a district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

“(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A)—

“(I) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

“(II) a person who participated in an alleged violation that is being litigated in the civil action may be joined in the civil action

without regard to the residence of the person.

“(7) EFFECT ON OTHER LAWS.—This subsection does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

“(8) DEFINITIONS.—For purposes of this subsection:

“(A) CALLER IDENTIFICATION INFORMATION.—The term ‘caller identification information’ means information provided by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service.

“(B) CALLER IDENTIFICATION SERVICE.—The term ‘caller identification service’ means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service. Such term includes automatic number identification services.

“(C) IP-ENABLED VOICE SERVICE.—The term ‘IP-enabled voice service’ has the meaning given that term by section 9.3 of the Commission’s regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

“(9) LIMITATION.—Notwithstanding any other provision of this section, subsection (f) shall not apply to this subsection or to the regulations under this subsection.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. BOUCHER. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BOUCHER. I yield myself such time as I may consume.

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Madam Speaker, today we consider S. 30, the Truth in Caller ID Act. It is the Senate companion to House legislation that was introduced on a bipartisan basis by our colleagues, the gentleman from New York (Mr. ENGEL) and the gentleman from Texas (Mr. BARTON), ranking Republican member of the Energy and Commerce Committee.

The bill directs the FCC to adopt the regulations prohibiting caller ID spoofing in which a caller falsifies the original caller ID information during the transmission of a call with the intent to defraud, to cause harm, or wrongfully to obtain anything of value. The bill makes anyone who knowingly and willingly engages in caller ID spoofing eligible for criminal fines.

Spoofing has been possible for many years, but generally required expensive

equipment in order to change the outgoing call information. But with the growth of voice over Internet protocol usage, spoofing has become easier and considerably less expensive, and a number of Web sites are now offering spoofing services. Consequently, those who want to deceive others by manipulating caller ID can now do so with relative ease.

Spoofing threatens a number of business applications, including credit card verifications and automatic call routing, because these systems rely on the telephone number as identified by the caller ID system as one piece of their verification and authentication process. It is also commonly used in the commission of frauds of various kinds.

At other times, spoofing may be used to protect individuals. For example, domestic violence shelters sometimes use spoofing to mask the identity of the caller for protective purposes.

By prohibiting the use of caller ID spoofing only where the intent is to defraud, to cause harm, or wrongfully obtain anything of value, this measure addresses the nefarious uses of the technology while continuing to allow legitimate uses such as use in shelters for the victims of domestic violence.

In the rulemaking that the FCC will conduct pursuant to new subsection 227(e)(3) of the Communications Act, the committee anticipates that the commission will consider imposing obligations on entities that provide caller ID spoofing services to the public. The widespread availability of caller ID spoofing services presents a significant potential for abuse and hinders law enforcement's ability to investigate crime.

The prohibition in this bill on the use of those services with the intent to defraud, cause harm, or wrongfully obtain anything of value could be of limited value if entities continue to provide those services without making any effort to verify their users' ownership of the phone number that is being substituted.

With our action today, this measure will be forwarded to the President for his signature. I want to thank and commend our colleagues, Mr. ENGEL and also Mr. BARTON, for their commitment to the matter. And I want to commend Senator NELSON of Florida and all Members who, on a bipartisan basis, have contributed to and supported the legislation now before the House.

I reserve the balance of my time.

□ 1220

Mr. STEARNS. Madam Speaker, I yield myself such time as I may consume.

I rise in support of S. 30, the Truth in Caller ID Act of 2009, which addresses an issue that Mr. BARTON and Mr. ENGEL and the Energy and Commerce Committee have been working on since the 109th Congress. In fact, back in April of this year, the House passed our version, H.R. 1258. The legislation pro-

tections consumers by prohibiting the deceptive practice of manipulating caller ID information, a practice known as caller ID spoofing.

Everyone is now familiar with the caller ID product that provides to a consumer the name and number of who is placing an incoming call. Madam Speaker, unfortunately, caller ID spoofing is yet another tool available to criminals to hijack the identity of consumers.

As with other scams, the Internet is making caller ID spoofing even easier today. There are Web sites that offer subscribers, for a nominal fee, a simple Web interface to caller ID spoofing systems that lets them appear to be calling from any number they so choose. Some of these Web services have boasted that they do not maintain logs and fail to provide any contact information. Some even offer voice scrambling services to further the deception of the consumer.

The FCC has investigated this spoofing problem, but currently there is no prohibition against manipulating caller ID information with the intent to harm others. Today's bill remedies this problem.

This bill specifically prohibits knowingly sending misleading or inaccurate caller ID information with the intent to defraud, cause harm, or wrongfully obtain anything of value. Deception with intent is our target. We drafted and amended the language carefully to ensure that we only prohibit those practices intending to do harm.

There are sometimes legitimate reasons why someone may need to manipulate caller ID. For example, domestic violence shelters often alter their caller ID information to simply protect the safety of victims of violence. Furthermore, a wide array of legitimate uses of caller ID management technologies exists today, and this bill protects those legitimate business practices.

For example, caller ID management services provide a local presence for teleservices and collection companies. These calling services companies are regulated by the Federal Trade Commission and Federal Communications Commission, which require commercial callers to project a caller ID that can be called back. This bill is not intended to target lawful practices protecting people from harm or serving a legitimate business interest.

My colleagues, this is a good piece of bipartisan consumer protection legislation. And while I normally hesitate to take the Senate's work product without some kind of amendment on our side, I want to thank my friends on both sides of the Capitol, on both sides of the aisle here in the House of Representatives, including the many chairmen over the years, including Mr. BARTON, Mr. DINGELL, Mr. WAXMAN, Mr. MARKEY, and Mr. BOUCHER, as well as Mr. UPTON, who was also chairman of this subcommittee. I also want to thank this Congress' lead sponsor and hardworking member of the Energy

and Commerce Committee, my good friend, ELIOT ENGEL from New York.

I support this legislation.

I reserve the balance of my time.

Mr. BOUCHER. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from New York (Mr. ENGEL), the chief sponsor of the House companion measure.

Mr. ENGEL. I thank my friend from Virginia for yielding to me. I want to thank my friend from Florida (Mr. STEARNS) for his kind words, and also the kind words of the gentleman from Virginia.

I rise today in strong support of my legislation, the Truth in Caller ID Act. This is about as bipartisan as a bill can be. We have passed this bill several times in the House only to have it not move through the other body, and I am delighted that for the first time we have had it passed in the other body. So now when we pass this bill, hopefully the President will sign it into law and we will finally have a stoppage of this fraud which is being perpetrated on the American people.

I originally read an article in the newspaper on a plane talking about what was going on with spoofing, and I remember thinking, This is ridiculous. How could this be legal? How could we just turn a blind eye to it? And then I realized we needed to have legislation.

We have been supported every step of the way, again, bipartisan, by the gentleman from California (Mr. WAXMAN) and the gentleman from Texas (Mr. BARTON). We have all worked on this legislation together.

I introduced the bill because we need an immediate change in our laws to help prevent identity theft, to crack down on fraudulent phone calls, and to protect legitimate uses of caller ID technology. We have seen, as my colleagues have mentioned, a large number of cases of caller ID fraud leading to illegal or even violent activities.

Last year, the New York City Police Department uncovered a massive identity theft ring where criminals stole more than \$15 million from over 6,000 people. They were able to perpetrate this fraud in many instances by using caller ID spoofing. In another case, a person in New York called a pregnant woman who she viewed as a romantic rival, spoofing the phone number of the woman's pharmacist. She tricked the woman into taking a drug used to cause abortions.

Caller ID fraud has even been used to prank call the constituents of a Member of this body, with the caller ID readout saying it came from that Member's office. Just imagine if people committed this fraud in the days leading up to a close election. You could see it. You spoof a number of your political opponent. You call someone at 3 o'clock in the morning. You say something obnoxious on the phone, and then the constituents are angry and are not going to vote for that person. This is all perfectly legal, up until the passage of this bill.

I have said again and again that one of the most troubling aspects of caller ID spoofing is not simply that it is legal. What disturbs me is how incredibly easy it is to carry out caller ID fraud. Criminals use a tool called a spoof card to change their outgoing caller ID; so you could look at it and see a phone number, any phone number that that person wants to put down, they can do it, and the person getting the call has totally no idea where it is coming from or thinks it is coming from a place where obviously it is not.

This technology can even be used to disguise someone's voice in order to trick people. If it is a man doing it, he can change the voice to sound like a woman, and vice versa. So it can be done completely to trick people.

This can trick people, corporations, or even banks. Imagine senior citizens who see the number of their bank put up when they take a look and see who is calling and it is fraudulent, or their doctor or their pharmacist or a close family member or a close family friend. This is terrible, and this tool is available to anyone with access to a Web browser. So, as was pointed out, the technology has gotten easier and easier for someone to perpetrate this fraud.

This legislation will outlaw caller ID spoofing when the intent is to defraud, cause harm, or lawfully obtain anything of value. And, let me say, we have had many, many hearings on this bill.

The reason why this outlaws caller ID spoofing when the intent is to defraud or cause harm, as my colleagues have pointed out, we put that in the bill based on the hearings we had because we don't want some legitimate reasons to use this technology to be outlawed. So it is only outlawed when the intent is to defraud, cause harm, or wrongfully obtain anything of value.

We won't be challenging the rulings for legitimate uses of this technology. For example, domestic abuse shelters will still be able to change the number on caller ID to protect the occupants of the shelter. We have some scrambling right here in the Capitol, as a result, to protect very important private numbers. That won't be changed.

So, again, I am pleased this bill passed the House in the 109th and 110th Congress. This is now the 111th. We are about to pass it. The Senate has done it for the first time. So I look forward to the President signing this bill into law.

I strongly urge my colleagues to support the Truth in Caller ID Act to outlaw this type of fraud once and for all. I thank my colleagues again for their support.

Mr. STEARNS. Madam Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. TIM MURPHY), the distinguished Member who also has been active in this, in fact has had a separate bill, so he was sort of a fore-runner on this issue.

Mr. TIM MURPHY of Pennsylvania. I thank my colleague.

I rise to speak about S. 30, the Truth in Caller ID Act of 2009, addressing the serious problem of caller ID fraud that allows a caller to hide his true identity. They do this through Web sites that will let you choose any number to show up on the caller ID. The Web sites even offer options to disguise your voice, such as making a man or woman's voice appear as the opposite gender.

I am glad to see the Senate is finally acting on this issue that I first raised in 2006 when I introduced H.R. 5304, known as the PHONE Act, or the Preventing Harassment Through Outbound Number Enforcement Act.

□ 1230

My bill passed the full House on December 9, 2006, and while it didn't make it through the Senate, several Members of the House pressed on. Congressman BOBBY SCOTT and I reintroduced this legislation in the 110th and 111th Congresses. The House passed the bill in March of 2007 by a vote of 413-1. And I would like to thank my colleagues in this session of Congress for overwhelmingly voting in favor of the Murphy-Scott Phone Act a year ago tomorrow by a vote of 418-1.

Caller ID can have legitimate uses to protect victims or when law enforcement are trying to track down criminals. However, here we are concerned about illegitimate uses.

When I first introduced the PHONE Act, several problems were already beginning to emerge. On one level friends were using it to prank others, and just to annoy them. On another level, there were famous or infamous cases where the harassment involved well-known personalities, * * *.

But caller ID is also employed for more sinister reasons. My own office experienced this when an organization used a phony caller ID system to make it appear as though my congressional office was calling constituents. Constituents were understandably puzzled and annoyed when bombarded by these calls. Unfortunately, we were not able to track down the perpetrators. In total, at least 42 House Republicans from 14 States were targeted in their home districts by similar harassing phone calls using call spoofing. Although I believe that action alone constitutes a fraud in posing as a Federal elected official's office, that is not the worst case.

In several cases, police and FBI have been subjected to so-called "swatting" calls when a caller uses another person's caller ID to phone the authorities, report a fake crime in progress, which draws a police and SWAT team response. Luckily, no one has been harmed in these cases, but you can imagine the potential tragedy when a team of police with guns drawn respond to the scene of what they believe is a dangerous ongoing crime. It is more than just a false alarm to a fire department. It can lead to serious injury for police and the community, and that is

why we must pass this bill before someone gets hurt.

Here are some other reports. A woman from Pennsylvania discovered her phone number was appearing on other people's caller ID, and it was being used as a vehicle to harass people.

In the wake of the Haitian earthquake, the Virginia State Police warned citizens to be vigilant against scam artists using phony caller ID numbers to obtain donations. Under such circumstances, perpetrators can pose as a legitimate charity to fool others into donating to an illegitimate account.

We have heard of cases where a county courthouse number appears as citizens are told they missed jury duty and are asked to give their credit card number to pay a fine.

Last December, another case in Pennsylvania occurred when a woman claimed to have shot her baby. It turned out to be a hoax. The police and detectives were forced to spend their Christmas Day wasting valuable resources investigating what was presented as a gruesome crime that was never committed.

These are just a few examples, and if we do not enact this legislation into law, I worry we will read about many more cases of call spoofing, including some that will inevitably end in tragedy.

Because of these, I am still a supporter of enhanced penalties when caller ID spoofing is used in the commission of a crime. Therefore, we should not stop with this legislation. The Truth in Caller ID Act provides for civil penalties under the Communications Act of 1934. My legislation, the PHONE Act, which has already passed the full House, provides for criminal penalties under the U.S. criminal code.

But I want to thank Congressman ENGEL and Congressman BARTON for being leaders on this issue in the House of Representatives in introducing their version. I urge my colleagues to vote for the Truth in Caller ID Act, and let's hope in the future we can pass enhanced criminal penalties such as those in my PHONE Act bill. Together these pieces of legislation would create a comprehensive set of civil and criminal penalties to enable us to effectively combat caller ID spoofing.

Mr. BOUCHER. Madam Speaker, I reserve the balance of my time.

Mr. STEARNS. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BARTON), the distinguished ranking member of the Energy and Commerce Committee.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I rise for two reasons. One is to support this bill. I actually thought it had passed and become law because we pass it every Congress, and it goes to the other body and falls in the black hole over there. So it is good to know they are bringing it

back. I am told there is a two-word difference between the bill we sent to them and the bill they sent back to us. I guess we can accept a two-word difference. It is long overdue. I want to compliment Mr. ENGEL for his hard work and perseverance. And Mr. STEARNS, Mr. MURPHY, and others on our side, and of course Mr. BOUCHER for this bill.

The primary reason I am speaking, though, is I want to say some heartfelt words about Mr. BOUCHER. Sooner or later this Congress is going to mercifully adjourn—and I hope sooner rather than later—and so I don't know how many more times we are going to be on the floor, but I wanted to say in his presence what an honor it has been to serve with him. He is a workhorse Member; he is not a show horse. He doesn't get involved in many, many issues, but when he does get involved, he is meticulous in his preparation and understanding of the issue and his detail. His word is gold. It is always good.

On the rare occasions when I have disagreed with him, I have always been impressed with the merit of his argument. He will be missed. He is one of the Members who makes the institution work. He does it behind the scenes. He is always thoughtful and prepared and just a joy to work with.

I had the privilege to work with him when I was the subcommittee chairman and he was my ranking member, and I have had the privilege to work with him while he has been in the majority as a subcommittee chairman. The work he and Congressman STEARNS have done on privacy is work that will bear fruit in the coming Congress I hope. The work he has done on energy issues and telecommunications issues, his work will stand the test of time.

I do want to support the pending legislation, but I also wanted to give the gentleman from Virginia my very best wishes. I look forward to working with him in whatever endeavors he pursues in the future. It has really been an honor to serve with you in the House of Representatives.

Mr. STEARNS. Madam Speaker, I yield myself such time as I may consume.

I just would echo the comments of the gentleman from Texas (Mr. BARTON) about Mr. BOUCHER. Having worked with Mr. BOUCHER, he and I have cosponsored many bills across the spectrum. Recently, obviously, we worked on privacy together. And also, we tried to hammer out some kind of compromise on net neutrality. Net neutrality was difficult because the FCC was attempting to move it to title II. We finally got them to stop that. In fact, the court stopped them. Again, Mr. BOUCHER and I met with the stakeholders across the board to try and see if there was some compromise. We both agreed it should be under the jurisdiction of the Congress and not the FCC acting unilaterally, as it appears they are going to do on December 21 when they vote for net neutrality, which I

am against. But I have to admire Mr. BOUCHER's perseverance, his stick-to-it-ness, whether it is trying to reach compromise on legislation, or his reach-out to stakeholders. For example, on the privacy, he had a comment period on his privacy bill that I cosponsored, which is unusual around here. A lot of times we say we don't have an opportunity to even read the bills before they are voted on, but in fact, under Mr. BOUCHER's leadership as chairman of the Telecommunications Subcommittee, he took his bill and offered it as a draft to get stakeholders' comments. That is a credit to his leadership.

As Mr. BARTON pointed out, we are going to miss him. He provides strong, competent leadership, and we wish him well and thank him for his service.

I yield back the balance of my time. Mr. BOUCHER. Madam Speaker, I yield myself the balance of my time, and I do so to thank my colleagues, the gentleman from Texas (Mr. BARTON) and my friend, the gentleman from Florida (Mr. STEARNS) for their kind remarks. I want to thank them for the collaboration and the friendship over the years.

Mr. STEARNS and I have participated together in developing the ideas, developing the legislation, and bringing through the Communications Subcommittee all of the bills that that subcommittee acted on legislatively in this 2-year session of Congress. I appreciate so much the good ideas Mr. STEARNS shared, his work with me to ensure that all of our legislation had a bipartisan foundation, and I think what we were able to do was a better product by virtue of the fact that we worked together. It has been a privilege over the years to have the opportunity to work with him. He is an outstanding legislator.

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I want to commend him for the fine work that he has done, and mostly thank him for the friendship and the partnership that he and I have enjoyed together. And I want to say thank you to my friend (Mr. BARTON) with whom I was privileged to work on the Energy Subcommittee when he was chairman and I was the ranking member. During the time he chaired the full committee, I had the privilege of participating with him on a whole range of undertakings, and I admire very much the leadership that he has provided as chairman of the Energy and Commerce Committee and more recently as the ranking member.

So, thank you, gentlemen, for those kind remarks. I am humbled by them. And I appreciate your taking very much the occasion of our debate on this legislation to make those comments.

Madam Speaker, I have no further requests for time, I urge support of the legislation currently pending, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. RICHARDSON). The question is on the

motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, S. 30.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order: H.R. 5446 and House Resolution 1759, both by the yeas and nays; Senate Concurrent Resolution 72 and H.R. 6205, both de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

HARRY T. AND HARRIETTE MOORE POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5446) to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office," on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 28, as follows:

[Roll No. 631]

YEAS—405

Ackerman	Boehner	Castle
Aderholt	Bono Mack	Castor (FL)
Adler (NJ)	Boozman	Chaffetz
Akin	Boren	Chandler
Alexander	Boswell	Childers
Altire	Boucher	Chu
Andrews	Boustany	Clarke
Arcuri	Boyd	Clay
Austria	Brady (PA)	Cleaver
Baca	Brady (TX)	Clyburn
Bachmann	Braley (IA)	Coble
Bachus	Bright	Coffman (CO)
Baird	Brown (GA)	Cohen
Baldwin	Brown (SC)	Cole
Barrett (SC)	Brown, Corrine	Conaway
Barrow	Buchanan	Connolly (VA)
Bartlett	Burgess	Conyers
Barton (TX)	Burton (IN)	Cooper
Bean	Butterfield	Costa
Becerra	Buyer	Costello
Berkley	Calvert	Courtney
Berman	Camp	Crenshaw
Biggert	Campbell	Critz
Bilbray	Cao	Crowley
Bilirakis	Capito	Cuellar
Bishop (GA)	Capps	Culberson
Bishop (NY)	Capuano	Cummings
Bishop (UT)	Carnahan	Dahlkemper
Blackburn	Carney	Davis (CA)
Blumenauer	Carson (IN)	Davis (KY)
Blunt	Carter	Davis (TN)
Bocieri	Cassidy	DeFazio