



**Testimony of
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Oregon House Bill 3865

Before the Oregon Senate Committee on Judiciary

April 24, 2025

Chair Prozanski, and members of the committee, on behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony for the record regarding House Bill 3865.

For years, CTIA and our members have been dedicated to protecting consumers and fostering trust in both text messaging and voice calling platforms. As text messages and voice calls continue to be vital communication tools, we've taken proactive measures to address the growing threat of robocalls and robotexts. Through a multi-layered approach, including industry guidelines, up-front registration and vetting, cutting-edge call- and text-blocking technologies, and robust consumer reporting, we've made significant strides in combating unwanted non-consumer communications. For example, in 2023 alone, wireless providers blocked nearly 48 billion robotexts.

In the text messaging space, at the heart of these protections are our *Messaging Principles & Best Practices*, which set clear guidelines for non-consumer message senders on issues like consent, privacy, and security, and preventing unwanted messages. Our guiding principle is consent: Consumers should have control over the texts and calls they receive, with



the ability to opt-out at any time. Through this and other principles, we help prevent consumers from getting messages they do not want, while helping ensure consumers get the messages they do want.

As a complement to wireless industry tools and best practices, CTIA runs our Secure Messaging Initiative (SMI). The SMI helps messaging industry stakeholders identify bad actors, share information with each other and with law enforcement agencies, and develop best practices to address emerging threats on the messaging platform.

On the voice side, wireless providers and their ecosystem partners have also developed and deployed a wide range of powerful tools to protect consumers, including – but not limited to – developing robust know-your-customer practices, deploying innovative call-blocking, tracing back illegal robocalls to identify bad actors, and establishing and implementing robust robocall mitigation programs. To complement these solutions, CTIA developed a branded calling solution that leverages the STIR/SHAKEN framework to deliver trusted visual information to consumers using Rich Call Data or “RCD”, so they can be confident that a call is coming from a verified source. We refer to this solution as Branded Calling ID – or “BCID.” BCID delivers more robust—and secure—information to consumers’ smartphones, including a calling enterprise’s verified: (1) caller display name (e.g., “Home Depot”); (2) caller logo; and (4) call reason (e.g., “Order Ready for Pickup”). By receiving more, trusted, branded caller information, consumers can make more informed choices about whether to pick up the phone, reducing the risk of being bothered by spam or scam calls.



By providing innovative industry tools, transparent guidance, focusing on consumer trust, and partnering on enforcement, we are committed to making both text messaging and voice calling safe, effective, reliable communication channels.

While we appreciate the intent of House Bill 3865 to further protect Oregonians from unwanted calls or text messages, certain provisions could cause additional problems for Oregon consumers and businesses. As drafted, the bill would go far beyond federal and other states' regulations, could end up disrupting important messages that people want to receive, and would create a confusing landscape that could lead to inconsistent protections for Oregonians and inadvertent violations by businesses in this state. To avoid these issues, CTIA proposes a few modest revisions to further protect Oregonians without creating harm to consumers or interrupting legitimate, wanted communications.

1. First, CTIA recommends clarifying the definition of “telephone solicitation” to be more consistent with federal and other state law.

As currently written, the bill's definition of “telephone solicitation” in Section 646.561 could unintentionally sweep in everyday messages between friends and family, subjecting them to complex and unnecessary regulation. Rather than risk exposing consumers to inadvertent violations of state law, Oregon should aim to protect consumers.

CTIA proposes revising the bill to clarify that “telephone solicitations” are specifically voice calls or text messages from standard ten-digit numbers that travel over the public telephone network. This change would help the bill better match federal and other state laws,



which appropriately impose regulations on telemarketers – not consumers. In addition, these revisions would promote consistency for consumers as well as for businesses operating across state lines.

We also recommend adding an exception to the “telephone solicitation” definition for messages from those entities the consumer has given permission to hear from or already does business with. This would help ensure people can keep getting the messages they want and expect. Without this exception, the bill could end up discouraging well-meaning companies from sending important, legitimate messages to their customers, such as a local Oregon retail store texting about a seasonal sale, a gym offering a membership renewal discount, or a local restaurant promoting a limited-time offer.

2. Second, CTIA recommends harmonizing the bill’s “quiet hours” with the federal hours.

CTIA supports the legislature’s efforts to create a “quiet hours” period when consumers cannot receive unwanted telephone solicitations. Today, federal law imposes quiet hours between 9 p.m. and 8 a.m., and many states track that framework. The current bill proposes quiet hours from 7 p.m. to 9 a.m. CTIA proposes a modest adjustment to align the bill’s quiet hours with the federal hours, which would ensure consistency and avoid confusion for both consumers and businesses.

Imposing more strict “quiet hours” will also not deter scammers and other bad actors – they ignore legal restrictions regardless. Extending the quiet hours will only make it harder



for legitimate actors to comply with the law, and may deter businesses from sending communications that Oregonians requested, and want. By aligning Oregon's rules with existing federal regulations, you can encourage greater compliance, reduce confusion, and still maintain strong consumer protections.

3. Third, CTIA recommends ensuring that consumers continue to receive time-sensitive, non-marketing messages, such as alerts about power outages or school closures.

Another area of concern is the proposed additional regulation of automatic dialing and announcing devices, also known as ADAD. As written, the bill could apply restrictions too broadly, potentially interrupting the delivery of critical, time-sensitive, non-marketing messages that Oregonians rely on. Other states have successfully tailored their ADAD and “autodialer” laws to focus restrictions specifically to prevent unwanted “telemarketing” or “telephone solicitations,” and we encourage Oregon to do the same. Without this adjustment, the bill could hinder essential communications wanted by consumers, such as:

- Utility updates during power outages;
- Fraud alerts from banks;
- School closures or emergency notices sent to parents; and
- Health updates from medical providers.

Our proposed revision ensures callers are not subject to ADAD regulation-related liability for placing legitimate, non-marketing calls, while also preserving the bill's core intent of protecting consumers from unwanted communications.



4. Finally, CTIA recommends that the bill focus on preventing intentional misuses of caller id.

Finally, we recommend limiting the bill's prohibition against misrepresenting or faking message content or caller ID to situations where the sender is intentionally trying to trick or deceive the recipient. While masking one's identity or spoofing caller ID information is often associated with malicious intent, there are important exceptions that serve a critical public interest objective. For instance, domestic violence shelters may intentionally shield their identity to protect victims when conducting outreach via telephone to those victims. Public health agencies, legal service organizations, or law enforcement might use similar measures to protect sensitive information or ensure the communication recipient's safety.

By tailoring the statute to target intentional misrepresentation and fraud, the law can more precisely address bad actors without harming the organizations engaged in vital, good-faith efforts to serve the public.

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In closing, the wireless industry is working hard to maintain trust by protecting consumers from bad actors placing unwanted robocalls and texts. CTIA and its member companies look forward to working with the sponsors of House Bill 3865 to ensure that it protects consumers against these bad actors without disrupting lawful, wanted communications.

Thank you.