

**STATEMENT OF
COMMISSIONER GEOFFREY STARKS**

Re: *In the Matter of Steve Kramer*, File No. EB-TCD-24-00036094, Notice of Apparent Liability for Forfeiture (May 23, 2024)

This January, two days before the New Hampshire primary election, Steve Kramer orchestrated an illegal robocall campaign. He targeted thousands of voters. And his message was among the most anti-democratic things a person can push in our society: don't vote. But who would listen Steve Kramer? So he used the voice of the President of the United States, deployed from the phone number of a New Hampshire political operative. All it took was the help of an acquaintance, publicly available software technology, and \$150. With that, Kramer generated a deepfake recording of the President telling eligible voters to stay at home on election day.

But that wasn't enough to get this dangerous message to thousands of people. For years, we have been building safeguards into our telephone networks, to block illegal calls before they reach your phone. But Lingo Telecom, LLC, the company that originated many of the calls at issue, did not follow those legally-required safeguards. It passed on Kramer's call, associated with spoofed caller ID information, with the highest level of attestation available under STIR/SHAKEN – an "A-level" attestation. It verified a relationship between the spoofed number and the party that transmitted the calls to Lingo that did not exist, and that it should have known did not exist. That smoothed the way for those calls to make their way to thousands of voters across the state.

Today's Notices of Apparent Liability detail each of these steps – and I emphasize them – to show that it is the *combination* of these events that can have the most devastating effects. Had Kramer not been able to duplicate President Biden's voice so easily, this may have had less impact.¹ Voice cloning is a significant threat to the trust and integrity of our phone systems. This is why, days after Kramer's actions, the FCC swiftly (and unanimously, I might add) issued a declaratory ruling making clear that calls using voice cloning technologies fall under the requirements – and penalties – of the Telephone Consumer Protection Act.² And had Lingo not rubber stamped so many of these calls, it could have limited the consequences of Kramer's scheme. This is why the FCC requires all voice service providers to implement STIR/SHAKEN, and to use know-your-customer protocols to verify that the party transmitting the call has the authority to use the caller ID they designate.

And this is why, today, we use the authority granted to us by Congress in the Truth in Caller ID Act and the TRACED Act to propose forfeitures against both sides of this equation.

I want to thank the staff of the Enforcement Bureau for their prompt and dedicated investigation into this critical case. As always with robocall cases, the collaboration of our state, federal, and industry partners was key. The Bureau conducted this investigation in coordination with the New Hampshire Attorney General's Office, the bipartisan Anti-Robocall Multistate Litigation Task Force, the Department of Justice, and the Industry Traceback Group. I extend my thanks to each of those bodies. And finally, I want to recognize the Chairwoman for her leadership and efforts in building these collaborative relationships, which have proven critical to our enforcement of the law and our protection of American consumers and voters.

¹ That is not to say it would have no impact; we have previously seen illegal robocalls used for voter suppression. See *John M. Burkman, Jacob Alexander Wohl, J.M. Burman & Associates*, Forfeiture Order, 38 FCC Rcd 5529 (2023) (FCC's assessment of \$5,134,000 forfeiture order against perpetrators of 2020 robocall voter suppression scheme for violations of the TCPA).

² *Implications of Artificial Intelligence Technologies on Protecting Consumers from Unwanted Robocalls and Robotexts*, CG Docket No. 23-362, Declaratory Ruling, FCC 24-17 (2024).