

## **Consumer Advisory Committee Unwanted Calls Recommendation**

Unwanted calls, including illegal robocalls, are a major issue for consumers and have gone from a dinnertime inconvenience to a costly problem. Over four million complaints were made in 2016 to the Federal Communication Commission (FCC) and the Federal Trade Commission (FTC) about robocalls. FTC data indicates that consumers lose an estimated \$350 million annually by falling for phone scams.<sup>1</sup>

The Consumer Advisory Committee (CAC) recognizes the FCC's efforts in this space. The creation of the industry-led Robocall Strike Force in 2016 convened a broad range of stakeholders from across the telecom space, with a focus on reducing the volume of illegal calls going across networks, addressing call spoofing, and developing and making available effective robocall-blocking tools. The FCC has continued to support the Strike Force up to and including its April 28, 2017 final report, and on March 23, 2017, released a Robocall Blocking NPRM and NOI. The FCC should encourage the group as well as the entire ecosystem to continue working toward making available to all consumers effective technologies that will reduce the number of robocalls consumers receive.

The CAC appreciates the efforts of the Strike Force and the continued resources being devoted to finding solutions to the problem. While there may not be a single "silver bullet" solution, a variety of technologies, approaches and tools should be developed and deployed to end unlawful robocalls.

Education is a crucial component to making consumers better aware of existing tools that can protect them from these calls. Enforcement, both public and private, continues to be an essential means of effectively limiting illegal robocalls.

Complaint data can also be a powerful tool in fighting unwanted calls. Technology has enabled the proliferation of unwanted calls, and data can drive the technology to fight those same calls. Complaints should be easy to file and accessible, with redacted personal information, to enhance efforts to end unlawful calls and enhance consumer choice.

Additionally, with the rise in fraud connected to unlawful calls a number of consumer groups and industry representatives now advise consumers not to answer calls from unrecognized numbers. This guidance helps to protect consumers from becoming fraud victims, but prevents them from collecting all the information required to file a complaint using the FCC's current form.

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<sup>1</sup> [https://www.ftc.gov/sites/default/files/documents/reports/consumer-fraud-united-states-2011-third-ftc-survey/130419fraudsurvey\\_0.pdf](https://www.ftc.gov/sites/default/files/documents/reports/consumer-fraud-united-states-2011-third-ftc-survey/130419fraudsurvey_0.pdf)

With the goal of dramatically reducing the flood of unwanted robocalls to consumers, improving consumer education, and simplifying the complaint filing process, the CAC recommends that the FCC:

1. Initiate and prosecute enforcement actions against known robocallers who are violating the law.
2. Ensure a system of effective enforcement, with appropriately escalating penalties against repeat violators.
3. Enhance its current online Unwanted Calls Consumer Guide<sup>2</sup> to consolidate best practices and tips currently shared by other government agencies, and to reflect new guidance and resources emerging from industry's work on this issue. Currently a number of links are provided to external resources;<sup>3</sup> these resources should be more fully integrated into the aforementioned consumer guide.
4. Ensure that the FCC's educational resources and complaint forms are available in accessible formats, and languages other than English where appropriate, and encourage others that provide educational resources and the ability to make complaints about robocalls to also do so.
5. Develop educational materials specific to the impact of robocalls on consumers with disabilities. One area of focus should be the use of robocalls over all types of telecommunications relay services (TRS), including video relay services, Internet Protocol Relay, and captioned telephone relay services. Consumer protection tips and resources should be highlighted as well as best practices for relay service providers. A second area to highlight is information and resources about accessible caller id services and equipment usable by people who are blind or visually impaired.
6. Simplify the consumer complaint filing process for unwanted calls. Many consumers receive multiple unwanted calls each day, and would currently have to enter each complaint separately. Developing a form that allows for information to be entered about multiple unwanted calls at once would simplify the process.
7. Create a separate intake portal for unwanted-call complaints. This portal would have a unique icon on the Consumer Complaint Center landing page. With the goal of reducing the burden for consumers of entering a complaint, this dedicated intake form would allow for multiple unwanted calls to be

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<sup>2</sup> <https://www.fcc.gov/consumers/guides/stop-unwanted-calls-texts-and-faxes>

<sup>3</sup> <https://www.fcc.gov/consumers/unwanted-calls>

reported and would require the minimum amount of information needed to make the complaint actionable, while allowing other entry fields to be optional.

The FCC should consider the following data as a starting point

- a. Date
- b. Time
- c. Number displayed on caller ID
- d. Number the call came to
- e. Message left or not

Other optional fields, such as nature of call, voicemail left, etc., could collect additional details if available.

The FCC should work with industry and other parties in the ecosystem to periodically review and update this list as needed.

8. Incorporate educational information into the response sent by the FCC to consumers who submit an unwanted-call complaint. This could be a link to the FCC's enhanced consumer guide discussed above. The response should also explain how unwanted call complaint data is used.
9. Develop an app that can be used by consumers with mobile devices to quickly file complaints for unwanted calls received on their device. The app should be accessible to and usable by people with disabilities. As allowed by the consumer's privacy permissions, this app would automate the entry of the above-mentioned actionable information, as well as additional details if available.
10. Build upon the existing Memorandum of Understanding with the FTC by exploring the value and feasibility of creating a co-hosted single education and complaint portal for the issue. Currently, each agency hosts separate education content and complaint filing portals, and many consumers are unsure of where to file their complaint.
11. Explore making complaint data available to third parties on a near-real time basis in order to maximize its usefulness for companies whose robocall analytics engines use the data to identify telephone numbers that may be candidates for blocking or providing alerts to consumers.

Adopted Unanimously, May 19, 2017

Respectfully Submitted:

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