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United States Senate

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October 3, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai,

We applaud the Federal Communications Commission (FCC) for releasing a Notice of Inquiry to explore opportunities to reduce unwanted robocalls and robotexts by addressing issues associated with reassigned numbers. We encourage you to proceed with a rulemaking that creates and makes available to callers a comprehensive database of reassigned telephone numbers.

Periodically, consumers receive unwanted robocalls and robotexts because the previous holder, not the current holder, of the phone number provided consent. Not only are these calls and texts to reassigned numbers a nuisance to consumers, but they also create liabilities for calling parties because more than one call or text to a reassigned number may be a violation of the Telephone Consumer Protection Act (TCPA). Many of our constituents complain about receiving these intrusive and unsolicited calls and texts that violate the rights of privacy and control created by the TCPA. We have also heard from hospitals, small businesses, and other stakeholders in our states who exercise care in their efforts to contact their patients, customers, or employees, but who nonetheless could face liability under the TCPA because they are alleged to have called reassigned numbers.

We believe that the FCC can address this pressing issue by making available a reassigned numbers database. As you explore opportunities to promote such a database, we encourage you to consider the following key features:

- **Comprehensiveness** – The reassigned numbers database should comprehensively document all telephone numbers that could be reassigned. Participation by all providers—wireless, wireline, and Voice over Internet Protocol (VoIP) providers and any other relevant carrier partners—is essential to ensuring the database is reliable.
- **Accuracy** – The database should be reliable and up-to-date to provide callers with a reasonable assurance that they are not calling or texting reassigned numbers. Telephone providers should promptly report when one of their telephone numbers has been

relinquished by the previous user, and the database should be updated not less frequently than once a day.

- Accessibility – All callers, including small and medium-sized businesses, should have easy access to the database to confirm the currency of numbers.
- Security – The database should protect and minimize the collection of consumers' proprietary network information.
- Efficiency – The FCC should actively monitor and evaluate the comprehensiveness, accuracy, accessibility, and security of the reassigned numbers database and make appropriate reforms and modifications when necessary. Further, the FCC should continue to protect consumers with reassigned numbers from unwanted calls and texts, including from callers using the reassigned numbers database.

Thank you for your attention to this important matter. We urge the Commission to use its statutory authority to provide consumers and businesses the much-needed relief they deserve.

Sincerely,



John Thune
Chairman



Edward J. Markey
United States Senator

Cc: The Honorable Bill Nelson
Ranking Member