



Congress of the United States  
House of Representatives  
Washington, DC 20515-4905

May 9, 2018

362

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Dear Chairman Pai:

In 1991, Congress unanimously passed the Telephone Consumer Protection Act (TCPA) to establish the Do Not Call Registry and give Americans control over whether or not telemarketers can call their telephones. The law also bans most robocalls to cellular phones.<sup>1</sup>

Congress has charged the Federal Communications Commission (FCC) with producing regulations and enforcing these robocalling rules. However, despite these rules, many of my constituents are frustrated with persistent, unwanted robocalling. Estimates indicate that subscribers across the country receive billions of unsolicited robocalls annually, despite the blanket prohibition in law.<sup>2</sup>

Illegal robocalling, like other criminal activity, evolves to avoid detection and law enforcement. In recent years, robocallers have extensively used caller ID “spoofing” to mask their origin and defraud Americans. In addition, Voice over Internet Protocol (VoIP) technology coupled with the global reach of Internet service equips robocallers to operate on a massive, international scale while spoofing their calls to appear local in origin, all at the rate of pennies per call.<sup>3</sup> Thus, even in a system of perfect domestic enforcement, telemarketers are capable of pestering Americans from outside the FCC’s jurisdiction. And, as the FCC recently stated in the Federal Register, blocking international calls that spoof as North American numbers would adversely affect legitimate uses of spoofing, such as international call-forwarding.<sup>4</sup>

Multiple third party mobile applications have been developed to counter the robocalling nuisance.<sup>5</sup> In addition, service providers now offer limited black-listing for known numbers. And, the FCC has published a rule giving telecommunications service providers permission to proactively block certain

<sup>1</sup> Telephone Consumer Protection Act of 1991, 47 U.S.C. § 227

<sup>2</sup> <https://www.prnewswire.com/news-releases/robocall-epidemic-breaks-annual-record-with-305-billion-calls-in-2017-300580916.html>

<sup>3</sup> <https://www.economist.com/news/science-and-technology/21700745-end-last-telemarketing-plague-pulling-plug-robocalls>

<sup>4</sup> 83 Fed. Reg. pg. 1571 (January 12, 2018) “Advanced Methods To Target and Eliminate Unlawful Robocalls” Synopsis, Other Issues

<sup>5</sup> *Do Not Call: Combating Robocalls and Caller ID Spoofing: Hearing Before the Subcommittee on Digital Commerce and Consumer Protection*, 115<sup>th</sup> Congress (April 27, 2018)

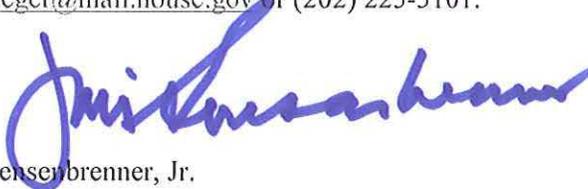
types of calls that are known to be fraudulent.<sup>6</sup> These developments are positive, but more needs to be done through collaboration between the government and industry stakeholders.

With an emphasis on the FCC's efforts to maintain the TCPA's relevance in a constantly changing technological landscape, please provide answers to the following questions.

1. What recent actions has the FCC taken to update telecommunications regulations to combat current illegal robocalling practices?
2. What steps does the FCC take to enforce Do Not Call regulations in a timely manner?
3. What steps has the FCC taken to foster interagency cooperation so that fraudulent robocalling operations are shut down quickly?
4. As noted above, robocalling is not limited by international borders. Does the FCC provide technical assistance to the State Department to encourage international telecommunications enforcement standards?
5. The FCC regulates telecommunications participants and provides enforcement of the regulations. Does the FCC also promote industry best practices for monitoring and reporting suspected illegal robocalling activity? Does the FCC have a projected timeline for completing any current collaborative efforts with industry stakeholders to combat fraudulent robocalling?

I look forward to exploring future collaboration with the Commission. Please reply to these question by June 8, 2018. If you have any questions, please contact Michael Steger in my office at [Michael.Steger@mail.house.gov](mailto:Michael.Steger@mail.house.gov) or (202) 225-5101.

Sincerely,



F. James Sensenbrenner, Jr.  
Member of Congress

cc: Commissioner Mignon Clyburn  
Commissioner Michael O'Rielly  
Commissioner Brendan Carr  
Commissioner Jessica Rosenworcel

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<sup>6</sup> Ibid.