STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL

Re: *Implementing Section 503 of RAY BAUM's Act, Rules and Regulation Implementing the Truth in Caller ID Act of 2009*, WC Docket Nos. 18-335, 11-39, Second Report and Order (August 1, 2019)

You think robocalls are getting worse? You're right. At the start of this Administration there were 2 billion robocalls a month, now there are roughly 5 billion.

There's not a lot of good news in the escalating mess of robocalls, but there's this: Congress has taken note. Last week, the House of Representatives passed a bill that provides this agency with new tools in the battle against robocalls. The Senate did the same earlier this year. Plus, our decision today implements legislation Congress passed last year in the RAY BAUM's Act to help hold accountable those who make illegal robocalls from overseas.

As a result of our work today, the Federal Communications Commission will be able to assess fines on international bad actors who use fake caller identification to send malicious calls to the United States. This closes a loophole in existing laws, so it represents progress.

Still, let's not kid ourselves. Because despite all of this activity, the calls are still tumbling in and consumers are fed up. It's time for a stronger approach. It's time to follow the money.

There is work underway in the industry to identify the network source of robocalls. It looks like this—say there is a call from Florida to Oregon. To get this communication from one coast to the other may require multiple phone companies handing the call off between one another as it traverses the country to reach its destination. This is a lot like taking a series of connecting flights on different airlines to travel across the country. Finding where illegal robocalls start in this system requires reverse engineering these handoffs to "traceback" these calls in order to determine where they were first put on the line. Figuring out where a call originates is important because the carrier at the start of the call path may have a financial incentive to allow illegal robocalls to get on the line or may find it convenient to take the money and look the other way. Through this traceback process, we can pinpoint the carriers that are the source of this problem and then put them on notice that they are facilitating bogus calls.

Sounds good, right? But to date there is something missing—and that's the FCC.

There is no public process for holding carriers who put this junk on the line accountable. There needs to be one.   I think it should start with the FCC naming and shaming the carriers responsible for letting these nuisance calls onto the network. In other words, we could use this traceback process to shine a light on the worst offenders.

Next, the FCC could bring its enforcement authority to bear against carriers aiding and abetting robocallers. This could start by declaring that originating carriers that actively and knowingly facilitate illegal robocalls are engaging in an unjust and unreasonable practice in

violation of the Communications Act. This would make it possible for the agency to penalize carriers responsible for these calls and even, if necessary, revoke their authorization to provide service.

This course of action is what we need right now. By following the money we can trace these annoying calls and help put a stop to them for good.