



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 6, 2020

The Honorable Maggie Hassan
United States Senate
330 Hart Senate Office Building
Washington, DC 20510

Dear Senator Hassan:

Thank you for your letter regarding the Commission's efforts to curb robocall campaigns related to coronavirus/COVID-19-related fraud and scams. I agree with you that these unconscionable illegal calls pose a serious threat, and we are taking all necessary steps to protect the public. And I believe that the Commission's multi-pronged approach has gotten results.

We've partnered with the Federal Trade Commission (FTC), the U.S. Department of Justice (DOJ), and USTelecom's Industry Traceback Group to tackle the threat of COVID-19 robocall scams. As you note, in April and May, our Enforcement Bureau, along with the FTC's Bureau of Consumer Protection, sent demand letters to six gateway providers that were facilitating COVID-19 robocall scams originating overseas. The letters warned these gateway providers that they had to cut off these calls, or else risk having their own traffic blocked by other phone companies. Within 48 hours, all of the targeted gateway providers complied, and the Industry Traceback Group confirms that they continue to be in compliance. We will continue to monitor these and other gateway providers to stop illegal international robocalls before they reach consumers. And we will continue our successful coordination with our Federal partners and the industry.

These efforts could be one reason that there has been a notable decrease in robocall complaints filed both at the FCC and FTC in recent months. The FTC reports that robocall complaints decreased by 68% when comparing April 2020 data to April 2019, with a 60% drop in complaints when comparing May 2020 to May 2019. At the FCC, our Consumer and Governmental Affairs Bureau received 7,600 unwanted call complaints in April 2020 and 9,000 in May 2020, which is a significant decrease from the preceding three months, during which the Bureau received a total of 37,800 unwanted call complaints. (Although most of these complaints involve some sort of scam, it is often difficult from the face of complaints to determine what the scam is and whether it is COVID related.)

The Enforcement Bureau also continues its aggressive enforcement against robocallers, with a \$225,000,000 proposed fine against a Texas-based company for making over a billion spoofed robocalls in the first four-and-a-half months of 2019. This was the largest proposed forfeiture in Commission history. This action followed back-to-back cases in December 2019 and January 2020, in which the Commission proposed fines against two other robocalling entities for \$9,997,750 and \$12,910,000, respectively. With respect to the issue of robocall forfeiture

collection, the Commission does not have the authority to force entities to pay the fines levied in a Forfeiture Order. When an entity does not pay, we must refer the case to the Justice Department for collection, and it is up to them whether to pursue the matter (note that the Department already has full authority to collect).

Enforcement is not the only way that the Commission protects consumers from robocalls. Almost immediately upon learning about robocall scams related to the coronavirus pandemic, our Consumer and Governmental Affairs Bureau began tracking them. Early robocall scams focused on consumer health fears, offering testing kits, phony insurance products, or bogus cures. We then quickly saw a shift to scams that targeted financial fears and offered student loan help, debt consolidation, or work from home schemes. As the pandemic continues, we are increasingly hearing reports of many long running robocall scams being adapted to include a COVID-19 theme, including auto warranty offers and online business listings.

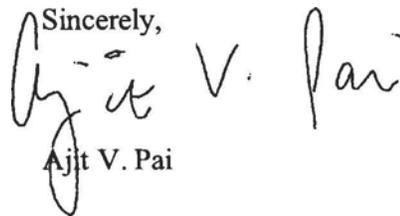
To keep consumers informed, the Commission created and launched the “COVID-19 Consumer Warnings and Safety Tips” webpage and released a Consumer Alert to increase awareness. Our webpage is being updated as new scams emerge and we hope that consumers will continue to use it to protect themselves from these illegal calls. To date, we’ve highlighted a variety of COVID-19-related scams, covering both text messaging campaigns and robocalls that prey on virus-related fears. The comprehensive details can be found at www.fcc.gov/covid-scams.

Another action we’ve taken to help protect consumers allows telephone providers to block by default suspected malicious and illegal calls. Our Consumer and Governmental Affairs Bureau recently released a staff report on the availability and effectiveness of call blocking tools offered to consumers. The report found that billions of unwanted calls are blocked each year and that call blocking tools are now substantially available to consumers at no or low cost. The report also noted that there appears to be few instances of false positive blocking—that is, cases in which a potentially wanted call is blocked—and that there do not appear to be any instances where the providers blocked an emergency call. Additionally, the Commission adopted at its July Open Meeting an order to give voice service providers a safe harbor from liability for unintended or inadvertent call blocking so long as the action is based on reasonable analytics including caller ID authentication information. The safe harbor also enables responsible providers to block calls from other providers that facilitate illegal and unwanted calls.

We continue to be on-track with implementation of the provisions in the TRACED Act, which gives the Commission new tools and authority to crack down on these problematic calls. For example, we have selected a private-led consortium to trace back the origin of suspected unlawful robocalls and started a proceeding to address “one ring” scams. We launched the Hospital Robocall Protection Group, which held its first meeting on July 27. We implemented the forfeiture increases and changes to the statutes of limitations for enforcement actions involving robocalls. And we mandated that voice service providers implement caller ID authentication using the STIR/SHAKEN framework. This technology enables phone companies to verify the caller ID information that is transmitted with a call and will help them identify calls with illegally spoofed caller ID information before those calls reach Americans’ phones. Please be assured that the Commission will continue its implementation of the remaining requirements

of the TRACED Act and continue our enforcement efforts both during and after the COVID-19 pandemic. I am confident that our efforts will help mitigate the impact of illegal robocalls on consumers.

Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 6, 2020

The Honorable Thomas R. Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

Dear Senator Carper:

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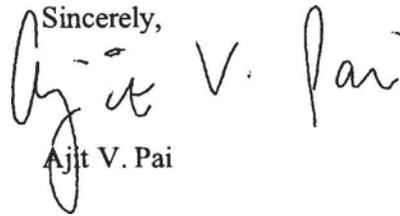
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