

November 13, 2020

Marlene Dortch, Secretary
Federal Communications Commission
445 12th St. SW
Washington, D.C. 20554

**Re: *Enforcement Bureau Requests Information on the Status of Private-Led
Traceback Efforts of Suspected Unlawful Robocalls, EB Docket No. 20-195***

Dear Ms. Dortch:

On behalf of the Industry Traceback Group ("ITG"), USTelecom – The Broadband Association ("USTelecom")¹ is pleased to report on the ITG's efforts to trace back the origin of suspected unlawful robocalls and coordination with the Commission.² Since the Enforcement Bureau designated the ITG as the single consortium registered to conduct private-led traceback efforts in late July,³ the ITG has initiated over 600 tracebacks, covering about 70 robocall campaigns and representing millions and millions of illegal robocalls. The illegal robocall campaigns that the ITG has traced back and sought to mitigate include the full gamut of unlawful and fraudulent robocalls plaguing consumers – from impersonations of the Social Security Administration to fake warranties, refunds, and offers to threats to disconnect utility services without payment to phishing efforts trading on known brands and institutions. The ITG also has traced back and sought to mitigate several telephone denial of service attacks, including one against a hospital. The industry and its law enforcement partners increasingly rely on tracebacks as a tool to try to immediately cut off the flow from illegal callers in the first instance, even before law enforcement investigations commence. A description of how the ITG conducts its operations is available in USTelecom's May application to designate the ITG as the official registered traceback consortium by the Commission,⁴ as well as the ITG's Policies and Procedures.⁵

¹ USTelecom is the premier trade association representing service providers and suppliers for the communications industry. USTelecom members provide a full array of services, including broadband, voice, data, and video over wireline and wireless networks. Its diverse membership ranges from international publicly traded corporations to local and regional companies and cooperatives, serving consumers and businesses in every corner of the country. USTelecom leads the ITG, a collaborative effort of companies across the wireline, wireless, VoIP and cable industries actively working to trace and identify the source of illegal robocalls. The ITG was designated by the FCC as the official U.S. robocall traceback consortium in July 2020.

² See Public Notice, *Enforcement Bureau Requests Information on the Status of Private-Led Traceback Efforts of Suspected Unlawful Robocalls*, DA 20-786 (rel. July 27, 2020).

³ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, DA 20-785 (rel. July 27, 2020).

⁴ See generally Application of USTelecom, EB Docket No. 20-22 (filed May 21, 2020).

⁵ USTelecom's Industry Traceback Group, *Policies and Procedures* (Jan. 2020), available at https://www.ustelecom.org/wp-content/uploads/2020/02/USTelecom_ITG-Policies-and-Procedures_Jan-2020.pdf.

In all, over 500 domestic and foreign-based voice service providers have participated in ITG tracebacks. Nevertheless, although trending down, tracebacks still at times lead to providers that do not respond to requests. Some providers simply fail to respond entirely, whereas others, though much less frequently, acknowledge the request but indicate that they are not obligated to respond and therefore choose not to. About 100 providers have failed to cooperate with the ITG – either by not responding at all or by failing to provide the information requested. Of these providers, less than 30 are based in the United States. Regardless of the reason that a provider does not participate in a traceback, the ITG cannot continue the traceback.⁶

The ITG appreciates its close partnership with the Commission, as well as other federal and state enforcers. The ITG’s traceback team holds a monthly call with its federal law enforcement partners, including staff of the Commission’s Enforcement Bureau, in addition to a representative of the state Attorneys General. The ITG also routinely provides informal referrals and detailed information to Commission staff (upon formal request and consistent with ITG Policies and Procedures) regarding the callers responsible for illegal robocalls, as well as those voice service providers that actively facilitate the completion of illegal calls.

Going forward, the ITG encourages the Commission to continue to work with its federal and state law enforcement partners to bring aggressive enforcement against robocallers and those voice service providers that routinely refuse to participate in the traceback process. The ITG looks forward to continue serving as a resource for the Commission to identify parties responsible for illegal robocall campaigns.⁷

Please contact the undersigned if you have any questions.

Sincerely,

/s/ Joshua M. Bercu/

Joshua M. Bercu

Vice President, Policy & Advocacy, USTelecom

Jessica S. Thompson

Manager, Policy & Advocacy, USTelecom

⁶ For this reason, USTelecom has urged the Commission to adopt an affirmative traceback requirement. *See* Comments of USTelecom – The Broadband Association, CG Docket No. 17-59, at 3-6 (filed Aug. 31, 2020); Reply Comments of USTelecom – The Broadband Association, CG Docket No. 17-59, at 6-7 (filed Sept. 29, 2020).

⁷ *See Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, FCC 20-96 ¶¶ 37-43 (rel. July 27, 2020); 47 C.F.R. § 64.1200(k)(4).