



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

April 13, 2022

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, DC 20510

Dear Senator Blumenthal:

Thank you for your letter regarding the Federal Communications Commission and its efforts to combat robocalls. Protecting consumers from illegal robocalls is one of our top consumer protection priorities, and the agency is committed to using every legal tool at our disposal to address this issue. Since there is no single solution to the threat posed by these illegal calls, our approach is multifaceted—through enforcement, providing consumers with new ways to protect themselves, educating them about new scam tactics, championing new technologies, and requiring service providers to better protect their customers. The Commission is also working to extend these same efforts to combat the increasing number of junk robotexts that consumers receive on their mobile phones.

Over the course of the last year, the Commission's Enforcement Bureau has investigated and taken aggressive action against known robocallers. In August 2021, we proposed a \$5,134,500 fine, and in February 2022, we proposed a \$45,000,000 fine—the largest ever under the Telephone Consumer Protection Act—for unlawful robocalls. In addition, in March 2021, we issued the largest Forfeiture Order in history for illegal caller ID spoofing. In order to also ensure that our enforcement efforts have fast effect, the Commission has issued a series of cease and desist letters to companies conducting robocall campaigns, giving them 48 hours to stop before other providers are allowed to start blocking their calls.

The Commission's Consumer and Governmental Affairs Bureau is also actively engaged in providing consumers with the information and tools they need to identify and avoid falling for robocalling scams. The Bureau publishes a scam glossary and frequently adds content highlighting emerging scams, often including a recording from an actual call or a sample of how a text scam might look, on the Commission's consumer help center (www.fcc.gov/consumers).

In addition, the Commission has increased its efforts to partner with colleagues inside and outside government to pursue those responsible for illegal robocalls and more broadly increase consumer awareness. To this end, the Consumer and Governmental Affairs Bureau has developed partnerships with non-profit organizations, such as AARP and the National Diversity Coalition, to inform the most vulnerable consumers about common and emerging robocall scams. The Commission is also continuing to build on the successful consumer education partnership developed with the Federal Trade Commission during our joint spoofing awareness campaign. We also recently began a campaign to expand our efforts to hold accountable those behind these junk calls by partnering with Attorneys General in the states. As a result, the Commission now has a Memorandum of Understanding with Attorneys General in 27 states

and the District of Columbia to share information that will assist in efforts to prosecute bad actors behind robocalls under both federal and state law. In addition, the Attorney General of Colorado, Attorney General of North Carolina, and Attorney General of Tennessee have committed to help work with the Commission to bring their other colleagues in the states on board with this effort.

The Commission also has aggressively worked to implement STIR/SHAKEN, technology that authenticates callers so the person picking up the phone can be sure that the caller is who they say they are. We required that large carriers implement STIR/SHAKEN in the Internet Protocol (IP) portions of their network by June 30, 2021.

As you note, the Commission adopted a rulemaking in May 2021 seeking comment on a proposal to shorten the deadline for implementation of STIR/SHAKEN to June 30, 2022, for a subset of smaller providers that pose a heightened risk of originating illegal robocalls. I am pleased to report that, in December 2021, the Commission followed through on this proposal, cutting the amount of implementation time allowed for such providers. As a result, such providers must implement STIR/SHAKEN in the Internet Protocol (IP) portions of their network by June 30, 2022. If carriers fail to meet their obligations, we will act. In fact, we recently determined in an order that two large providers failed to fully implement STIR/SHAKEN as required. We have referred these providers to the Enforcement Bureau for appropriate action.

There is early evidence that suggests that this mix of initiatives, facilitated in part by the TRACED Act, is having positive effect. The Commission's *Second Report on Call Blocking* indicates that consumers have access to more call blocking services from their providers or third-party analytics companies than in the past and that more illegal and unwanted calls are being blocked by voice service providers at the network level and with new opt-in and opt-out tools offered to customers. Moreover, data from YouMail's Robocall Index suggests there were 500 million fewer robocalls in January 2022 than in June 2021, before the STIR/SHAKEN mandate became effective.

I also share your concerns about unwanted text messages. Early evidence suggests these messages are increasing and we need to be creative to find ways to stop them before their volume further expands. As a result, I have shared with my colleagues a proposed rulemaking to develop new consumer protections to guard against illegal robotexts, including a proposal that would require mobile wireless providers to block illegal text messages. This proposal would also explore other steps to protect consumers from illegal robotexts, including by applying caller authentication standards to text messaging. I hope that my fellow Commissioners will support this initiative.

Finally, I believe that additional authority to combat robocalls and robotexts may be required from Congress. For example, the decision last year by the Supreme Court in *Facebook v. Duguid* narrowed the definition of autodialer under the Telephone Consumer Protection Act, which could lead to less consumer protection from robocalls. We also need more tools to catch those behind these calls, including the authority to enable the Commission to go to court directly and collect fines against bad actors.

As always, I appreciate your support of the Commission's work in this area and would be happy to work together to continue to protect consumers from these harmful calls and texts. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel