FCC CLOSES ROBOCALL LOOPHOLE

FCC Robocall Response Team Has Taken Enforcement Actions, Built Nationwide Partnerships, and Proposed Innovative New Policies to Combat Scam Robocalls

WASHINGTON, June 30, 2022—Starting today certain small phone companies must comply with FCC rules to implement caller ID authentication tools on their networks, just as large voice service providers are required to since June 30, 2021. Today’s announcement is the latest in a series of actions by the FCC’s Robocall Response Team to cut off the flood of unwanted robocalls hitting consumers and business phone networks. These small phone companies are suspected of facilitating large numbers of illegal robocalls and, as a result, the FCC rolled back an extended caller ID authentication implementation timeline granted to them in its original 2020 rules.

“Each time I get a robocall it reminds me that we can’t stop looking for ways to stop these nuisance calls and the scams behind them,” said FCC Chairwoman Jessica Rosenworcel. “Our team is working to aggressively and creatively find ways to fight back. We will use every authority we have, and we will go to Congress for more. We will not let up.”

How We Got Here: In 2020, the FCC granted voice service providers with 100,000 or fewer subscriber lines an extension of STIR/SHAKEN* implementation requirements, consistent with the TRACED Act. However, since then evidence emerged that a subset of these small voice service providers were originating an increasing quantity of illegal robocalls. As a result, in 2021, the FCC unanimously voted to shorten the extension by a year.

Recent FCC investigations and reports from the Industry Traceback Group indicate that, since STIR/SHAKEN was widely implemented across the largest providers’ networks last year, robocallers have sought to maintain anonymity and avoid enforcement and blocking tools by routing or originating their call traffic on the networks of these largely IP-based* small providers that have not yet implemented STIR/SHAKEN. This has allowed robocalls to pass from these networks to terminating provider networks without carrying forward accurate and standardized caller ID/traceback information.

What’s New: Effective today, a problematic gap in FCC robocall rules closed, requiring non-facilities based small voice service providers* to implement STIR/SHAKEN caller ID authentication standards on their networks. These providers are now required to implement STIR/SHAKEN caller ID authentication standards on the IP portion of their networks.

The Bigger Picture: Under Chairwoman Rosenworcel’s leadership, the Robocall Response Team was created to serve as an FCC staff working group that pulls together expertise from
across the agency to leverage the talents of enforcers, attorneys, policy makers, engineers, economists, and outreach experts to combat the unyielding menace of illegal spoofed, scam, robocalls.

This effort has resulted in:
- record-breaking spoofing and robocall fines;
- closing gateways used by international robocallers to reach Americans’ phones;
- widespread implementation of STIR/SHAKEN caller ID authentication standards to help traceback illegal calls and improve blocking tools to protect consumers;
- the signing of robocall investigation partnerships with the large majority of state Attorneys General;
- and unprecedented policy proposals to combat the rising threat of bogus robotexts.

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Appendix of frequently used terms:

- **STIR/SHAKEN Caller ID authentication**: Caller ID authentication, based on so-called STIR/SHAKEN standards, provides a common information sharing language between networks to verify caller ID information which can be used by robocall blocking tools, FCC investigators, and by consumers trying to judge if an incoming call is likely legitimate or not.
- **Non-facilities-based voice service providers**: A voice service provider is non-facilities based if it offers voice service to end users using connections that are not sold by the provider or its affiliates. Instead, their voice service is transmitted over another provider’s transmission service.
- **IP-based telephony**: IP telephony is shorthand for Voice over Internet Protocol (VoIP), which is a technology that allows a user to make voice calls using a broadband Internet connection instead of a regular (or analog) phone line.

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*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).*