

November 13, 2023

Marlene Dortch, Secretary
Federal Communications Commission
45 L St. NE
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, DA 23-639*

Dear Ms. Dortch:

The Industry Traceback Group (ITG)¹ is pleased to submit information for the Federal Communications Commission's annual report to Congress on the state of private-led efforts to trace back the origin of suspected unlawful robocalls. In the seventh year since the establishment of the ITG and the ITG's fourth year as the registered consortium for private-led traceback efforts, the ITG's private-led traceback efforts continue to help advance the mission to curb illegal robocalls.

From November 1, 2022 to date, the ITG completed over 3,500 tracebacks at an average of just over 300 per month. Because tracebacks rely on a sample of the high-volume robocall and other illegal calling campaigns on which the ITG has data, the thousands of tracebacks run by the ITG represent billions of illegal calls targeting consumers.

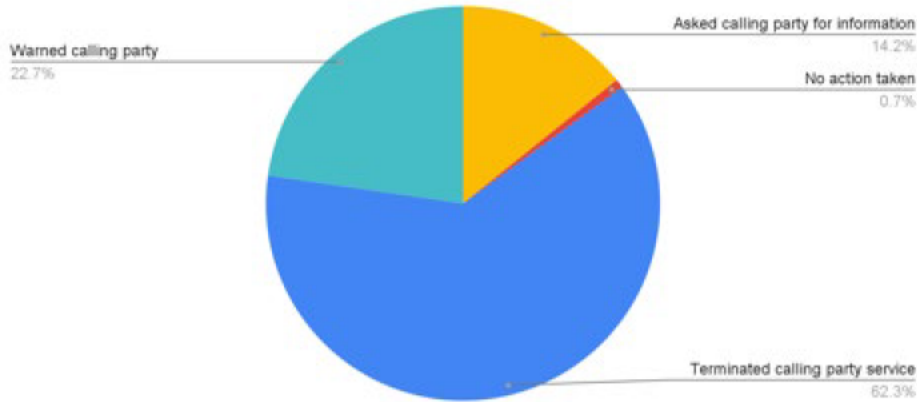
The ITG relies on third parties, including data analytics companies, providers, government agencies, and enterprises, to efficiently source illegal call examples. As in past years, ITG tracebacks principally trace examples of high-volume pure fraud robocall campaigns and unsolicited lead generation telemarketing robocall campaigns.² These campaigns include brand impersonation, utility scams, debt reduction products, and health insurance offers, among others. The ITG also has continued to expand tracebacks of targeted, low volume malicious calls, such as bomb threats, swatting calls, and vishing (i.e., voice phishing) attempts. For instance, earlier this year, the ITG worked with a local police department in Indiana to successfully trace back a series of spoofed calls, including calls making bomb and shooting threats to a high school and a swatting call to a student of the school, helping local police apprehend the suspect before any harm was done.

¹ 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, is led by USTelecom – The Broadband Association (USTelecom). USTelecom is the premier trade association representing service providers and suppliers for the communications industry.

² See Prepared Testimony of Joshua M. Bercu, Executive Director of ITG and Vice President, Policy & Advocacy of USTelecom, Hearing on Protecting Americans from Robocalls, Before the Senate Committee on Commerce, Science & Transportation, Subcommittee on Communications, Media, and Broadband, Oct. 24, 2023, at 5, *available at* <https://www.commerce.senate.gov/services/files/9E0BFEOC-E920-4C89-BE35-B2A4A8396181> (noting a drop in scam robocalls that has been supplanted by a substantial rise in unsolicited telemarketing calls).

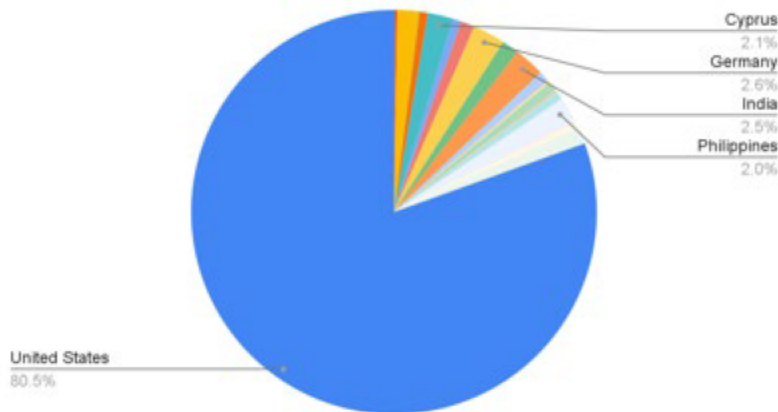
The majority of ITG tracebacks this year identified the originating voice service provider and yielded information about the calling party. Nearly 85 percent of such tracebacks resulted in the originating provider warning or terminating their customer, up almost 20 percent from 2022.

Figure 1: Action Taken by Originating Provider



This year, the ITG observed a decline in tracebacks identifying foreign-based originating providers in lieu of originating providers that assert they are based in the United States. From the beginning of 2023 to present, only 20 percent of tracebacks identified a foreign-based originating provider, down 5 percent from the same time period last year.³ Some providers that claim to be in the United States almost certainly have little or no operations, facilities, or personnel based in the country.⁴

Figure 2: Tracebacks by Country of Originating Provider (Top 5 Listed)



In 2023, about 250 new providers were added to the ITG portal after being identified in tracebacks, a rate of new providers per year roughly consistent with prior years. To date, approximately 1,400 U.S. and foreign providers have been identified in ITG tracebacks. In addition, the average number of hops

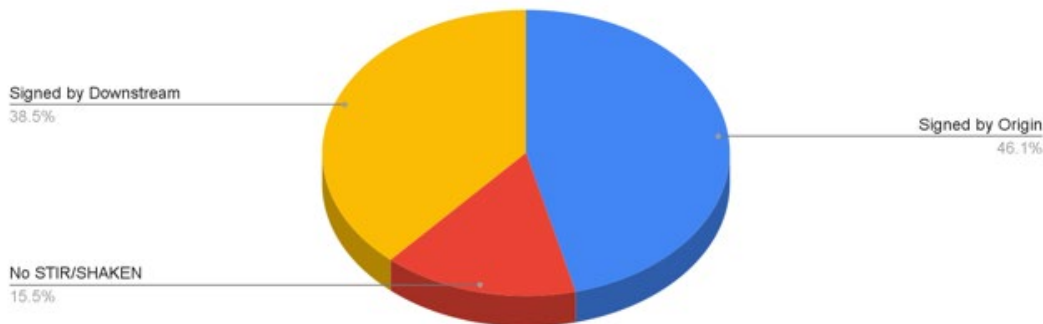
³ Note that some variation may be based on the campaigns traced by the ITG during different time periods.

⁴ In some instances, providers that assert that they are based in the United States, including in filings to the Commission’s Robocall Mitigation Database, log into the ITG’s portal via foreign IP addresses.

per traceback has increased in each of the last three years. In 2023, there was an average of 6.8 hops per traceback, one additional hop on average compared to 2020.⁵

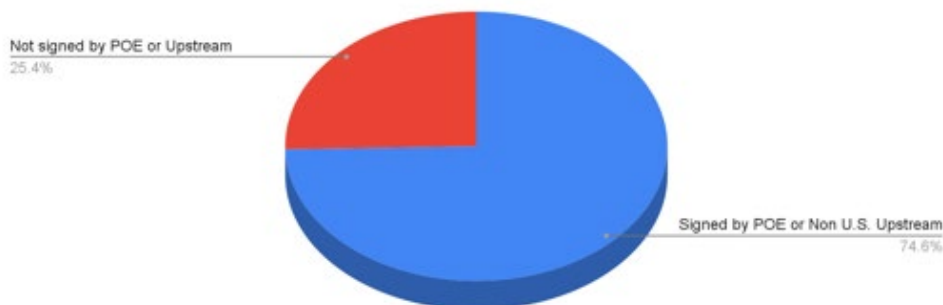
The ITG continues to leverage STIR/SHAKEN caller ID authentication information, and has collected such information from providers in tracebacks for over a year.⁶ This year, less than half of the calls traced back by the ITG that were identified as having a U.S.-based originating provider were signed by that provider. Of the remainder, nearly 40 percent were signed by a downstream provider and approximately 16 percent had no STIR/SHAKEN information whatsoever.

Figure 3: Signing Status of Tracebacks of U.S.-Originated Calls since January 2023



The FCC’s requirement that gateway providers sign unsigned traffic took effect June 30, 2023. Since that time, only 25 percent of foreign-originated calls traced back by the ITG were not signed by the gateway provider, or another provider further upstream.⁷

Figure 4: Signing Status of Foreign-Originated Calls since June 30, 2023



⁵ It is difficult to conclusively determine what is driving this trend, but the ITG team believes it is due in part to a combination of a higher percentage of completed traceback hops, increased disruptive action taken by providers in response to tracebacks, and utilization by some entities of apparent shell companies to add distance in traceback responses from the origination point and/or POE.

⁶ The ITG also leverages information from the Robocall Mitigation Database (RMD) to enhance traceback efforts. See 2022 ITG Letter at 5.

⁷ Note that because the ITG only traces back suspected unlawful calls, the ITG’s experience with STIR/SHAKEN signing may not be representative of the signing trends of call traffic more broadly.

The ITG continues to build on the valuable partnership with the Commission, other federal agencies, and state law enforcement officials. There is more illegal robocall enforcement today than ever before in large part due to private-led traceback efforts. The number of subpoenas and civil investigative demands to which the ITG has responded also continues to grow. The ITG responded to 172 subpoenas and civil investigative demands so far this year, up from a total of 133 in 2022. The ITG had responded to 98 subpoenas and civil investigative demands in 2021 and 75 in 2020.

Critically, the combination of private-led traceback efforts and enforcement, along with other industry and government efforts are proving effective. Consumer complaints regarding illegal and unwanted robocalls continue to decline, a trend that aligns with the deployment of caller ID authentication as well as the ramping up of traceback-powered enforcement.

Figure 5: Consumer Complaints to the FCC Regarding Unwanted Calls by Month

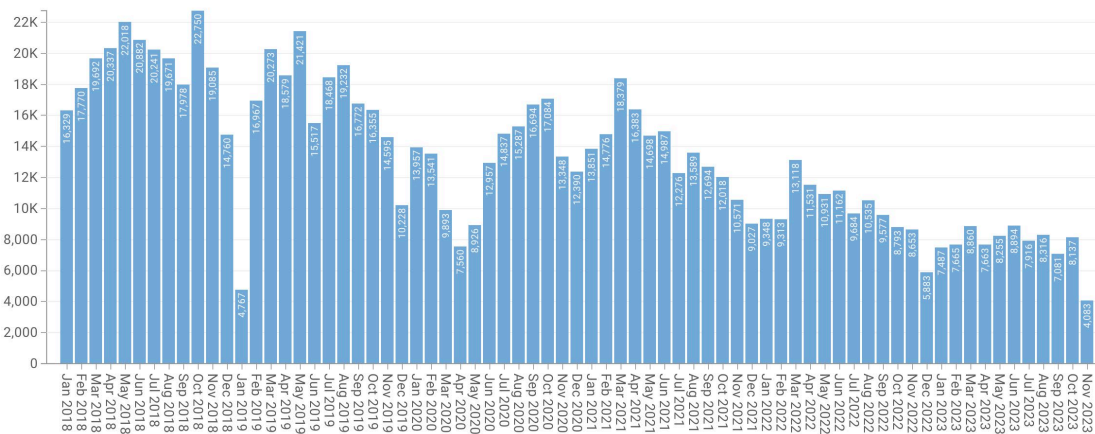
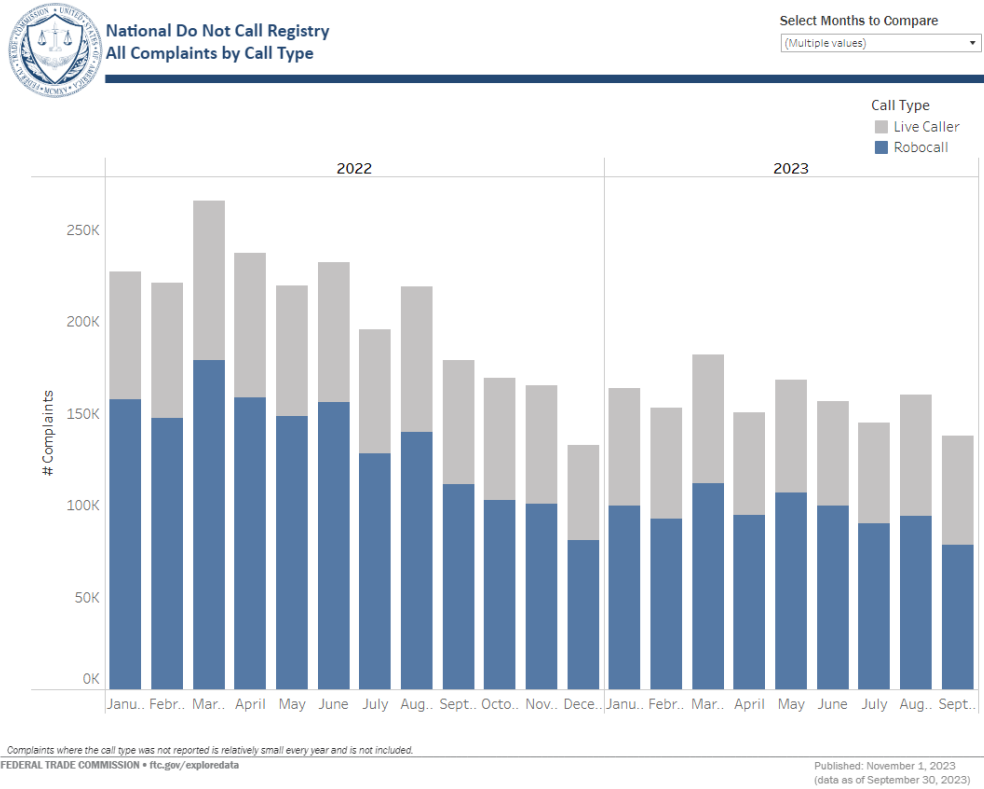


Figure 6: Do Not Call Complaints to the FTC from January 2022 to September 2023



The ITG stands ready to continue to enhance private-led traceback efforts and work with the Commission and other government and industry stakeholders to stop the scourge of illegal robocalls and protect users of the phone network.

Please contact the undersigned if you have any questions.

Sincerely,

/s/ Joshua M. Bercu/

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