

STATEMENT OF CHAIRMAN AJIT PAI

Re: *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59.

The problem is a simple one. A doctor's office is trying to reach a patient and calls what it thinks is the patient's phone number. But the patient has changed numbers, and her old number has been reassigned to someone else. So someone with no relationship to the doctor's office or the patient receives the call.

This isn't good for anyone. The new holder of the number is annoyed by a call meant for someone else. The patient misses out on what could be an important call from her doctor's office. And the doctor's office is unable to reach the patient and could face a lawsuit under the Telephone Consumer Protection Act (TCPA) for unknowingly placing the call in question.

Of course, this scenario applies to a wide range of businesses and customers beyond doctors' offices and patients. And avoiding it benefits everybody. It's good for individuals who receive a new phone number. It's good for individuals changing phone numbers. And it's good for businesses.

So today, we adopt a solution that will reduce the number of mistaken calls to reassigned numbers. Specifically, we're establishing a single, comprehensive and timely database of phone numbers that have been reassigned. This reassigned numbers database will enable callers to verify—*before* calling a number—whether it's been permanently disconnected and is therefore eligible for reassignment. In other words, they'll be able avoid calling numbers that have been or could've been reassigned to someone else. Each month, voice providers and the Toll Free Numbering Administrator will report information to the database regarding permanently disconnected numbers. And as an added safeguard to protect both legitimate callers and consumers, we require a minimum "aging" period of 45 days before permanently disconnected telephone numbers can be reassigned.

Establishing a comprehensive and timely reassigned numbers database has received broad and bipartisan support. For example, Senate Commerce Committee Chairman John Thune and Senator Edward Markey recently said that "[a] reassigned numbers database could curb the increase in unwanted calls and texts and also provide more certainty to legitimate callers seeking to communicate important information to their patients, customers, or employees. We applaud the Commission for their effort to create this database, and support its swift implementation." And the database has the backing of consumer groups and trade associations representing callers alike.

Some important administrative notes. This database will be managed by an independent third-party administrator selected through a competitive bidding process, and that administrator will receive information about permanently disconnected numbers from reporting providers. To ease the burden on small providers, we allow them an additional six months to begin reporting to the database administrator. Finally, we adopt a safe harbor from TCPA liability for those callers that rely on the database to learn if a number has been reassigned. This will ensure that a responsible caller who uses this database will not be held liable for accidentally making a call to a reassigned number because of a database error.

There is no silver bullet to end the scourge of robocalls. That's why we're pursuing a comprehensive strategy that includes call authentication, call blocking, strong enforcement action—and today, a reassigned numbers database. Each is an important tool to help us rid Americans' phones of unwanted calls.

I am grateful to the staff for all their tremendous hard work on this *Second Report and Order*. Thanks to John B. Adams, Dan Margolis, Karen Schroeder, Kurt Schroeder, Mark Stone, Patrick Webre, and Josh Zeldis from the Consumer and Governmental Affairs Bureau; to Laurence Atlas, William Layton, Richard Mallen, Bill Richardson, Derek Yeo, and Chin Yoo from the Office of General Counsel; to Eric Burger, Giulia McHenry, and Chuck Needy from what was the Office of Strategic Planning &

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