

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL**

Re: *John C. Spiller; Jakob A. Mears; Rising Eagle Capital Group LLC; JSquared Telecom LLC; Only Web Leads LLC; Rising Phoenix Group; Rising Phoenix Holdings; RPG Leads; and Rising Eagle Capital Group – Cayman*, File No.: EB-TCD-18-00027781.

We're all sick of robocalls. But if you're like me you especially despise those that come in with a number designed to look familiar—like friends and family—so you instinctively pick up the line. These spoofed calls are more than a nuisance. They're fraud.

So today it's good news that the Federal Communications Commission proposes its largest-ever fine penalizing a robocalling operation that spoofed numbers to hawk healthcare policies. These scam artists lied and said they were calling on behalf of well-known health insurance companies on more than a billion calls. That's fraud on an enormous scale. So in this Notice of Apparent Liability we propose to penalize them with a \$225 million fine.

That sounds right. It's also right that in the wake of our vote today a group of state attorneys general is going to file action against these robocallers in federal court for violation of the Telephone Consumer Protection Act. In other words, this is a joint project to bring an end to an especially ugly spoofing operation. But there's something missing in this all-hands effort. That's the Department of Justice. They aren't a part of taking on this fraud. Why not? What signals does their refusal to be involved send?

Here's the signal I see. Over the last several years the FCC has levied hundreds of millions in fines against robocallers just like the folks we have here today. But so far collections on these eye-popping fines have netted next to nothing. In fact, it was last year that *The Wall Street Journal* did the math and found that we had collected no more than \$6,790 on hundreds of millions in fines. Why? Well, one reason is that the FCC looks to the Department of Justice to collect on the agency's fines against robocallers. We need them to help. So when they don't get involved—as here—that's not a good sign.

Despite these problems, this notice has my support. I appreciate the work of our Enforcement Bureau to build a case against this fraud. I only wish that we had a whole-of-government effort to not only announce a big fine but do what is really meaningful—and that's collect.