



Call Blocking and Robocall Mitigation

Consumer and Governmental Affairs Bureau

- ▶ The Bureau develops and implements the FCC's consumer policies and serves as the agency's connection to the American consumer.
- ▶ Divisions of the Bureau include:
 - ▶ Native Affairs and Policy
 - ▶ Consumer Affairs and Outreach
 - ▶ Disability Rights
 - ▶ Intergovernmental Affairs
 - ▶ Web and Print Publishing
 - ▶ Consumer Policy
 - ▶ Consumer Inquiries and Complaints

Consumer Inquiries and Complaints Division

- ▶ Access point for consumers to file a complaint directly with the Commission.
- ▶ Approximately 280,000 complaints annually.
- ▶ The Commission forwards some complaints to service providers.
- ▶ The Commission looks at trends in complaint data to consider which enforcement actions to pursue.

Consumer Policy Division

- ▶ Division is responsible for the development of consumer policy concerning Commission-regulated entities—common carrier, broadcast, wireless, satellite and cable companies—as well as other entities subject to the Telephone Consumer Protection Act (TCPA), CAN-SPAM Act, and other statutes for which the FCC has authority.
- ▶ Through rulemakings and orders, and by commenting on proceedings originated by other Bureaus and Offices, the Division ensures that consumer interests are considered in all Commission policy-making initiatives.
- ▶ The Division is specifically tasked with issuing orders to resolve complaints about unauthorized changes in telecommunications providers (slamming); and conducting rulemakings on robocalls, slamming, truth-in-billing, telemarketing, and fax advertising;.

Robocalls

- ▶ Empower Consumers to stop calls and texts that reach their phones
 - ▶ Telephone Consumer Protection Act (1991)
 - ▶ Requires consent for calls made using an autodialer or that contain a prerecorded or artificial voice
- ▶ Spoofing: Truth in Caller ID Act
 - ▶ Illegal to transmit misleading or inaccurate caller ID information with the intent to defraud, cause harm or wrongly obtain anything of value.
- ▶ Stop Calls from Reaching Consumers
 - ▶ Call and Text Blocking
 - ▶ Work with industry to prevent calls from transiting the US network

The Commission's Multi-Pronged Approach to Robocall Mitigation

Enhancing consumer choice while protecting consumers from unlawful calls

- Blocking of unwanted calls based on reasonable analytics with consumer consent
- Blocking of calls that are highly likely to be illegal without consumer consent
- Protections against erroneous blocking

Identifying bad actors and restoring faith in caller ID

- Caller ID authentication
- Traceback requirements

Holding Voice Service Providers Responsible

- Know your customer style requirements, including know your upstream provider requirements
- Blocking following Commission notification of illegal calls
- Robocall Mitigation Database filing requirements

Timeline of Call Blocking and Robocall Mitigation Policy

2017

- Order permits blocking based on calling number in certain instances

2019

- Declaratory Ruling confirms that providers may block based on reasonable analytics

2020

- July Order adopts safe harbors for blocking
- December Order adopts affirmative obligations for providers, expands safe harbor, and enhances transparency and redress

2022

- Order adopts several robocall mitigation requirements specifically for gateway providers

2023

- Order expands certain robocall mitigation requirements adopted for gateway providers to other provider-types
- NPRM and NOI seeks comment on additional options

2022 Gateway Order Mitigation Requirements

Requires gateway providers to respond to traceback requests from the Commission, law enforcement, or the industry traceback consortium within 24 hours

Requires gateway providers to block substantially similar traffic when notified of illegal traffic by the Commission through the Enforcement Bureau or risk the Commission directing downstream providers to block all of the provider's traffic.

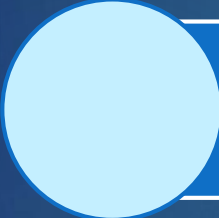
Requires gateway providers to block using a reasonable do not originate list, which may include invalid, unallocated, or unused numbers, as well as numbers for which the subscriber to the number requests blocking, but need not include every possible number.

Requiring gateway providers to “know” the upstream provider, by taking reasonable and effective steps to ensure that the immediate upstream provider is not using its network to originate or process a high volume of illegal traffic onto the US network.

2023 Call Blocking Order



Extends the 24 hour traceback response requirement to all voice service providers, rather than simply gateway providers



Extends the requirement to block substantially similar traffic following Commission notification to originating providers, rather than simply gateway providers



Extends the requirement to “know” the upstream provider to all voice service providers, rather than simply gateway providers

2023 Call Blocking NPRM

Proposes to require providers to offer opt-out analytics based blocking of calls that are highly likely to be illegal

Proposes to require all voice service providers, rather than simply gateway providers, to block based on a reasonable do not originate list

Proposes to require non-gateway intermediate and terminating providers to block substantially similar traffic following Commission notification in certain instances

Seeks comment on requiring voice service providers to use a single, specified SIP code to provide immediate notification to callers that a call is blocked based on reasonable analytics

Seeks comment on whether and how to require display of caller name where a terminating voice service provider displays an indication that a call has received "A-level" or "full" attestation

Proposes a base forfeiture for failure to take affirmative, effective measures to prevent new and renewing customers from using the network to originate illegal calls