

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)
)
Advanced Methods to Target and Eliminate) CG Docket No. 17-59
Unlawful Robocalls)
)

COMMENT OF 30 STATE ATTORNEYS GENERAL

Illegal robocalls often scam consumers by hiding behind fake or “spoofed” caller ID numbers.¹ The Federal Communications Commission (FCC) has identified robocalls as the “number one consumer complaint,”² and consumers frequently complain about these calls to our offices as well. By removing regulatory roadblocks and collaborating with the telecommunications industry, the FCC can address the illegal robocall issue.³ The undersigned attorneys general strongly support the FCC’s adoption of rules to help eliminate unlawful robocalls.

The number of telephone scam complaints has grown exponentially in recent years. For example, in 2014, the Arizona Attorney General’s Office (AZAG) received 117 complaints about telephone scams. In 2016, the AZAG received 1,151 calls about telephone scams—nearly a 1,000 percent rise in just two years.⁴ Consumers find these calls unwanted and annoying, but

¹ Federal Trade Commission, *Robocalls*, Consumer Information, <https://www.consumer.ftc.gov/features/feature-0025-robocalls> (last visited June 7, 2017).

² *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Notice of Proposed Rulemaking, 17 FCC 24, 26 (2017).

³ *Id.* at 5 *citing* Robocall Strike Force, Robocall Strike Force Report at 1 (2016), *available at* <https://transition.fcc.gov/cgb/RobocallStrike-Force-Final-Report.pdf> (“Strike Force Report”).

⁴ Other undersigned attorneys general have seen a similar rise in complaints. For example, in 2012, the Oregon Attorney General’s Office (ORAG) received approximately 1,800 complaints or contacts about telephone scams. In 2016, the ORAG received approximately 5,300 complaints or contacts about telephone scams, with roughly 3,500 of those alleging aggressive

more importantly, robocalls perpetrated by scammers put consumers at risk of identity theft and financial loss.⁵ One common form of unlawful robocall is the IRS scam. The AZAG reports that this scam was the impetus for over 600 complaints to the Arizona Attorney General’s Office in the past three years. Consumers received threatening calls and robocalls from scammers posing as IRS agents, demanding payments immediately.⁶ These scammers often spoofed legitimate IRS numbers, which helped trick many consumers into giving scammers thousands or even tens of thousands of dollars. By stopping this type of spoofing, the FCC can cut down on the efficacy of such scams, likely saving consumers across the country millions of dollars.

In addition to spoofing legitimate numbers, scammers also use non-existent or invalid numbers to prevent consumers from identifying the caller. Even if consumers complain, when law enforcement investigates the number, the evidentiary trail turns out to be a dead end.

The FCC’s plan would help address both of these growing menaces. The FCC is presenting a sensible plan to stop “certain types of calls that seem to be such clear violations of

calls related to the IRS scam, or related to other aggressive false “monies owed” type scams. The Pennsylvania Office of Attorney General (PA OAG) reports that its Bureau of Consumer Protection received approximately 1,368 telephone scam complaints in 2016, representing thirty percent of all its Do-Not-Call complaints for that calendar year. In addition, the PA OAG reports that in 2016, its Bureau of Consumer Protection received over 500 consumer complaints alleging calls affiliated with the IRS scam. In 2016, Montana’s Office of Consumer Protection fielded 2,867 complaints/inquiries regarding telephone scams, a 22 percent increase from 2015. Most of the consumer complaints involved spoofed telephone numbers. In 2014, the Florida Attorney General’s Office received 7,756 complaints and inquiries related to telephone scams, including 1,272 that dealt with IRS scams. That number grew to 8,072 in 2016, with 2,785 of those involving IRS scams. In Vermont, the Office of the Attorney General experienced a nearly 25% increase in complaints or reports about various scams—most of them telephone scams—between 2015 and 2016 (from 5,896 complaints to 7,364 complaints), according to its Consumer Assistance Program. In 2016, Indiana OAG received 15,883 complaints about unwanted calls. Approximately 60% of those complaints alleged robocalls.

⁵ *Advanced Methods to Target and Eliminate Unlawful Robocalls* at 1.

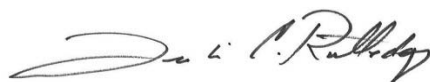
⁶ *Advanced Methods to Target and Eliminate Unlawful Robocalls* at 1–2.

the [federal] statute that they could be blocked.”⁷ There is little risk in allowing providers to block calls from the following: (1) an assigned number when the number’s subscriber requests calls from that number to be blocked, (2) invalid numbers, (3) numbers not allocated to a provider, and (4) numbers that are allocated to a provider but not assigned to a subscriber.⁸ Simply put, legitimate businesses do not need to use any of these methods to contact consumers. As such, allowing providers to block these calls would stymie scammers without burdening businesses.

Of course, the proposed rules will not block every illegal robocall. Perpetrators are sophisticated; robocalls can come from overseas, making it difficult to locate and prosecute the perpetrators, and callers within the U.S. may develop new methods to circumvent the rules.⁹ Nonetheless, the rules are a step in a positive direction for the FCC and for consumers, as they will reduce the ability of scammers to spoof real and fake numbers, and increase the ability of law enforcement to track down scammers. The FCC should thus implement the rules proposed in the Notice and help protect consumers from future scams.



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⁷ *Id.* at 30.

⁸ *Id.* at 6–8.

⁹ *Id.* at 10.



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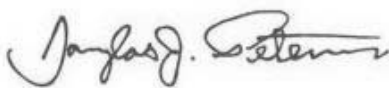
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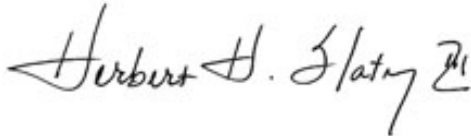
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