

Statement re: FCC Approves Phone Companies Proactively Blocking Robocalls

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National Consumer Law Center Senior Attorney Margot Saunders issues statement on FCC proposal calling it “a meaningful first step, but not a magic bullet.”

WASHINGTON, D.C.—Today, the FCC unanimously approved a proposal to grant phone service providers the authority to proactively block robocalls that its analysis determines are automated and likely illegal or unwanted. The proposal comes on the heels of the U.S. Senate’s overwhelming approval of the bipartisan “TRACED Act” which would mandate the FCC to *require* that providers employ similar call-blocking authority as well as force implementation of call authentication technology known as STIR/SHAKEN.

National Consumer Law Center Senior Attorney Margot Saunders, a national expert on robocalls and the Telephone Consumer Protection Act (TCPA), issued the following statement on the approval of the proposal:

“We recognize the FCC’s actions today as a meaningful step toward ridding consumers of unwanted and harassing robocalls, but it’s not a magic bullet. Consumers must insist that Congress and the FCC go further towards restoring the use of their cellphones and restoring their faith in the modern communications infrastructure.

“Today’s order only grants phone companies *permission* to block robocalls; it does not *require* them to do so—and proponents and opponents of the proposal have raised understandable concerns about the accuracy of phone companies’ analysis regarding which calls will be blocked. It is unclear how the phone companies will identify and determine whether to permit or block robocalls primarily falling into four categories—scams, wanted calls (such as Rx reminders and school closing notices), unwanted but legal calls (such as debt collection calls with prior consent to call), and illegal debt collection and telemarketing calls made without prior consent or after consent has been revoked.

“Call blocking is a valuable tool and call authentication measures are essential going forward, but the measures are by no means a complete fix. A critical piece to remedy the nation’s runaway robocall epidemic is a strong interpretation of the federal TCPA, which shields consumers from autodialed and prerecorded calls to their cell phones without consent, and strong FCC enforcement of the rules to rein in robo-harassment.

“Debt collectors and other prolific robocallers should follow the rules on who can be called and who is telling them to stop calling and then they must actually stop calling. Service providers must also be aware of who owns the numbers they have provided so that call authentication can provide a viable source of relief for consumers inundated with scam, spoofed, unwanted, and illegal robocalls.”

For more information, state-by-state robocall data, and recommendations, visit NCLC’s Robocalls and Telemarketing page.