FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Improving the Effectiveness of the Robocall Mitigation Database	)	**WC Docket No. 24-213**
	)	
	)	
Call Authentication Trust Anchor	)	**WC Docket No. 17-97**
	)	
Advanced Methods to Target and Eliminate Unlawful Robocalls	)	**CG Docket No. 17-59**
	)	
	)	

Reply Comments of

National Consumer Law Center
on behalf of its low-income clients

National Consumers League

Consumer Action

and

National Association of Consumer Advocates

Table of Contents

Introduction and Summary 1

I. Clarifying RMD Filing Obligations 3

II. Financial Security Requirements for RMD Filers 5

III. Review of RMD Filings 6

Conclusion 8

Reply Comments

Introduction and Summary

These Reply Comments, submitted by the National Consumer Law Center (NCLC) on behalf of its low-income clients, and joined by National Consumers League, Consumer Action, and National Association of Consumer Advocates, are in response to the Further Notice of Proposed Rulemaking released by the Federal Communications Commission (Commission or FCC) on July 23, 2026,[1] and published in the Federal Register on September 9, 2026.[2]

We support the Commission's proposed revisions to its regulations regarding the Robocall Mitigation Database (RMD). The Commission's proposed rule will strengthen and clarify providers' filing obligations and better keep bad actors out of the RMD and off U.S. networks. In this Reply comment we address several issues raised by other commentors and urge the Commission to maintain strong RMD filing requirements.

In Section I, we agree with the Commission's determination in paragraphs 10 through 16 of the FNPRM that "voice service" should be construed broadly such that the diverse entities that control access to the U.S. phone network are required to file in the RMD. However, commentors have expressed concerns regarding whether the Commission's interpretation of "voice service" inappropriately requires end users of voice service[3] or technology vendors[4] to file in the RMD. To

[1] FCC, Further Notice of Proposed Rulemaking, in WC Docket No. 24-213, WC Docket No. 17-97, and CG Docket No. 17-59 (adopted July 22, 2026 released July 23, 2026) (FNPRM), https://docs.fcc.gov/public/attachments/FCC-26-49A1.pdf.

[2] https://www.federalregister.gov/documents/2026/09/09/2026-18366/improving-the-effectiveness-of-the-robocall-mitigation-database-call-authentication-trust-anchor.

[3] See Comments of ACA International filed October 9, 2026, available at: https://www.fcc.gov/ecfs/document/26110080359/1. ("The Commission proposes to include call centers within the definition of a voice service provider and thus be required to comply with RMD filing requirements. . . . call centers are end users, not voice service providers.")

[4] See Comments of Mitel Networks Corporation, filed October 7, 2026. Available at: https://www.fcc.gov/ecfs/document/26110079771/1.

address these concerns, we urge the Commission to update its RMD Frequently Asked Questions for Filers[5] (RMD FAQ), or otherwise issue interpretive rules, to provide additional guidance regarding who is required to file in the RMD.

The RMD's purpose and requirements should inform the Commission's guidance. For example, the ability to monitor a customer's call traffic and block illegal calls are necessary prerequisites for an effective robocall mitigation plan. Businesses that have these capabilities, regardless of whether the business labels itself as an originating, intermediate, or terminating voice service provider, should file in the RMD to explain how they will be responsible gatekeepers for the U.S. phone network. A business that lacks the ability to monitor and block customer call traffic should not be required to file in the RMD. Similarly, commercial callers or other businesses that exclusively transmit call traffic and physically take the steps necessary to initiate the calls, as opposed to transmitting calls initiated by a third-party, should not be required to file in the RMD.

Next, in Section II, we urge the Commission to require that RMD filers post a letter of credit or similar form of security as discussed in paragraphs 70-73 of the FNPRM. We agree that a financial security requirement will supplement the Commission's RMD filing requirements by both ensuring that filers are sufficiently credible as to convince a financial institution to provide the security and by guaranteeing that funds are available to satisfy a judgment entered against the filer arising from its transmission of illegal calls. Commentors that oppose a financial security requirement generally argue that it will be unnecessarily burdensome. These arguments are misplaced as letters of credit, surety bonds, or other forms of security are relatively inexpensive and commercially available, and will materially improve the effectiveness of the RMD.

[5] Available at: https://www.fcc.gov/sites/default/files/rmd-faq.pdf

In Section III, we support the Commission's proposal in paragraph 69 of the FNPRM to withhold publication of RMD filings to provide time for review by the Wireline Competition Bureau or its designee. Reviewing all RMD filings prior to publication, either by appointing a neutral administrator or by dedicating sufficient staffing resources to accomplish the review internally, is essential to the RMD functioning effectively to prevent fraud. Meaningful review of filings before a provider can transmit call traffic to U.S. networks is necessary if the RMD is to accomplish a gatekeeping function that keeps bad actors off of the U.S. phone network.

I. Clarifying RMD Filing Obligations

We applaud the Commission's efforts to "codify and clarify providers' [RMD] filing obligations, including confirming the scope of entities that are voice service providers."[6] The Commission's proposed definition of "voice service provider" is appropriately broad, and we agree that the Commission should require an RMD filing for "'any entity that provides voice service for a given call,' which covers 'all initiating, originating, intermediate, and terminating providers, including facilities-based providers and non-facilities-based providers, which includes VoIP resellers and MVNOs.'"[7] A broad definition of "voice service" that covers any entity that directly or indirectly furnishes voice communications to an end user will help to prevent businesses from evading filing requirements by strategically using subsidiaries and affiliates to perform certain functions in order to skirt filing requirements.

However, categorical designations, like originating, intermediate, and terminating provider, can lead to ambiguity because the communications marketplace encompasses a vast array of business models and some services may seem like an originating, intermediate, or terminating provider in some respects but not others. For instance, a call center that places prerecorded voice

[6] FNPRM at ¶8.
[7] FNPRM at ¶12.

calls and then receives inbound calls related to those messages is arguably acting as an originating provider because it transmits calls to and from U.S. phone numbers for a customer; however, the call center is also making and receiving calls in much the same way as any commercial caller would. We do not believe the Commission should construe the term "voice service provider" so broadly that it sweeps in every business that makes or receives a call on behalf of a different entity. Requiring ordinary commercial callers to complete a robocall mitigation plan serves little purpose. Commercial callers, such as call centers, can already be held liable for the consequences of their calls without respect to the certifications required of RMD fliers. Also, businesses such as call centers and technology vendors may not have the information necessary to fulfill many of the required elements of an RMD filing, such as a mitigation plan that describes the use of call analytics. A business that does not have access to data about a customer's call traffic cannot meaningfully discuss the use of call analytics to block suspected illegal traffic.

We urge the Commission to retain a broad definition of "voice service," but in order to address concerns about the scope of the RMD filing requirements, such as those raised by ACA International and Mitel Networks,[8] the Commission should update the RMD FAQ to clarify what entities have an RMD filing obligation. The Commission's guidance should avoid making categorical designations of business types that have filing obligations and instead focus on aspects of the relationship between the service provider and its customers' call traffic that give rise to a filing obligation. The Commission could clarify that taking the physical steps necessary to initiate a call on behalf of a third party does not, on its own, give rise to an RMD filing requirement. Similarly, merely providing telecommunications equipment, such as a PBX phone system, without involvement in the call traffic that equipment transmits, should not trigger a filing obligation.

[8] See notes 3 and 4, *supra*.

II. Financial Security Requirements for RMD Filers

The FNPRM requests comments on whether the Commission should require a financial assurance like a letter of credit as a condition of filing in the RMD, though the Commission has not yet proposed rule language on this subject. We believe the Commission should require RMD filers to back up their RMD certifications with a security such as a letter of credit, surety bond, or certificate of deposit. NCLC and other groups have previously explained how a security requirement will prevent imposter VoIP providers from filing in the RMD to gain access to U.S. networks and perpetrate scams.[9] We continue to support a broadly applied requirement for RMD filers to post a letter of credit or other security. It should apply to all RMD filers. However, if the Commission declines to apply it to all RMD filers, we agree with US Telecom that "objective indicia of heightened financial or compliance risk, such as a limited operating history"[10] would be an appropriate standard.

Commentors who oppose a financial security obligation mistakenly assert that it would impose significant costs without a corresponding enforcement benefit.[11] Financial securities such as a letter of credit or surety bond are commercially available and are generally inexpensive for businesses with a good financial track record, in some cases for as low as 1% of the amount of the

[9] See Comments of NCLC, Public Knowledge, National Association of Consumer Advocates, Electronic Privacy Information Center, Consumer Action, Consumer Federation of America, National Consumers League, and Consumer Reports, filed May 26, 2026. Available at: https://www.fcc.gov/ecfs/document/10526366422615/1.

[10] Comments of USTelecom – The Broadband Association, filed October 9, 2026. Available at: https://www.fcc.gov/ecfs/document/26110080315/1.

[11] See e.g. Comments of T-Mobile USA, Inc., filed October 9, 2026, available at: https://www.fcc.gov/ecfs/document/26110080367/1; Comments of WISPA – The Association for Broadband Without Boundaries, filed October 9, 2026, available at: https://www.fcc.gov/ecfs/document/26110080341/1; Comments of Incompas and the Cloud Communications Alliance, filed October 9, 2026, available at: https://www.fcc.gov/ecfs/document/26110080368/1.

security.[12] These costs are negligible compared to the harm caused by illegal calls that voice service providers transmit to consumers. Fraud losses due to phone calls reported to the Federal Trade Commission total at least $665 million through the first two quarters of 2026.[13] A financial security would guarantee that voice service providers have funds available for the Commission or consumers to recover at least a portion of these losses. In light of the staggering amount consumers lose to fraudulent calls, it is clear that the enforcement benefits exceed the costs of a financial security by many orders of magnitude.

III. Review of RMD Filings

Facially deficient RMD filings are common, and while the Commission has taken enforcement action to remove deficient filings, it has also noted that these companies were able to transmit illegal calls and disrupt the traceback process before removal.[14] Reviewing filings prior to publishing them in the RMD is an important measure that will help to limit the damage an untrustworthy company can cause before the Commission is able to bring an enforcement action.

A robocall mitigation database filing is a license to access the U.S. phone network and should only be conferred on companies which can be trusted to prevent bad actors from using the phone network to steal from consumers. The current system, which allows meaningless RMD filings to proliferate, must change if the Commission is to address increasing fraud losses arising from illegal calls. Even minimal pre-publication vetting of RMD filings would be a significant

---

[12] See Comments of NCLC, et al., *supra* note 9, at pg. 7.
[13] FTC Consumer Sentinel Network, Payment & Contact Methods, Reports and Amount Lost by Contact Method. Available at: https://public.tableau.com/app/profile/federal.trade.commission/viz/FraudReports/FraudFacts.
[14] See Order, In the Matter of Robocall Mitigation Database Filers, EB-TCD-24-00036891, released August 6, 2025 (removing Robocall Mitigation Database filings which did not include a mitigation plan or lacked required information, and stating "While not a basis for the removal … we note that the Companies have transmitted suspected illegal robocalls as either an originating or gateway provider. Moreover, many of the Companies have failed to respond to traceback requests.") (footnotes omitted). Available at: https://docs.fcc.gov/public/attachments/DA-25-694A1.pdf

improvement. We strongly support the Commission's proposal to withhold publication of RMD filings pending review by the Wireline Competition Bureau (Bureau) or its designee.

The Commission or the Bureau should consider publishing a review procedure to ensure that RMD filings are vetted in a timely and consistent manner. The first stage of review could be performed mostly or completely algorithmically and focus on whether the RMD filing is facially complete and accurate. For instance, automated review could determine that the filer has provided all required identifying and contact information and validate that information by checking it against data sources such as the National Address Database. Incomplete filings should be summarily rejected with a right for the filer to cure, appeal, or re-file. Automating the first layer of review to the greatest extent possible will ensure that the Commission's limited resources are used effectively and that valuable staff time is not wasted on filers who do not intend to provide complete and accurate information.

A review focusing on facial deficiencies must occur before an RMD filing appears in the database, and ideally, the Bureau or its designee would also complete a more robust review that thoroughly checks the accuracy and sufficiency of the filing before it appears in the RMD. However, good investigations can take time and rigid deadlines for initiating or completing the in-depth review of RMD filings will undercut the effectiveness and value of the review. We urge the Commission to mandate a thorough vetting of all RMD filings, though the Bureau should have the option to conclude a thorough review of RMD filings after they are published.

Investigation of an RMD filing should not stop after a filing is published in the RMD. The filing review process should use the results of tracebacks to prioritize the RMD filings to investigate. Where traceback responses indicate a lack of candor by the respondent, it should trigger a thorough review of the respondent's RMD filing. For instance, if a voice service provider identifies a customer

it has previously claimed to have terminated is the source of suspected illegal traffic in response to a traceback, that provider's RMD filing should be reviewed on a priority basis.

CONCLUSION

The Commission's proposed revisions to its RMD regulation, 47 C.F.R. § 64.6305, are a tremendous improvement that will help the RMD to serve as a check against scams and other illegal calls. We urge the Commission to adopt this proposed rule with a requirement that RMD filers obtain a letter of credit or similar financial security that can be used to pay any judgment arising from the transmission of illegal calls. We are grateful to the Commission for the opportunity to comment on these important issues.

Respectfully submitted this 9th day of November 2026, by:

Patrick Crotty
Senior Attorney
pcrotty@nclc.org

Olivia Wein
Senior Attorney
owein@nclc.org

National Consumer Law Center
1001 Connecticut Ave., NW
Washington, D.C. 20036