

## Fact Sheet

# The Fight to Eliminate Unwanted Robocalls

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Unwanted telemarketing calls are consistently the biggest source of consumer complaints received by the Federal Communications Commission (FCC; figure 1).<sup>1</sup> Of particular concern are prerecorded calls—better known as “robocalls.” Robocalls are phone calls made using a computerized autodialer that sends prerecorded messages to consumers. Estimates suggest that in 2016, US consumers received around 2.4 billion robocalls per month—or 29 billion total calls for the year.<sup>2</sup>

Although some robocalls are legal, the Telephone Consumer Protection Act (TCPA), enforced by the FCC, establishes specific requirements for companies making robocalls, such as honoring the national Do-Not-Call Registry, in an effort to prevent unwanted calls; however, many robocalls violate these rules and are therefore illegal under the TCPA.

### Why Are Illegal Robocalls a Particular Concern for Older Consumers?

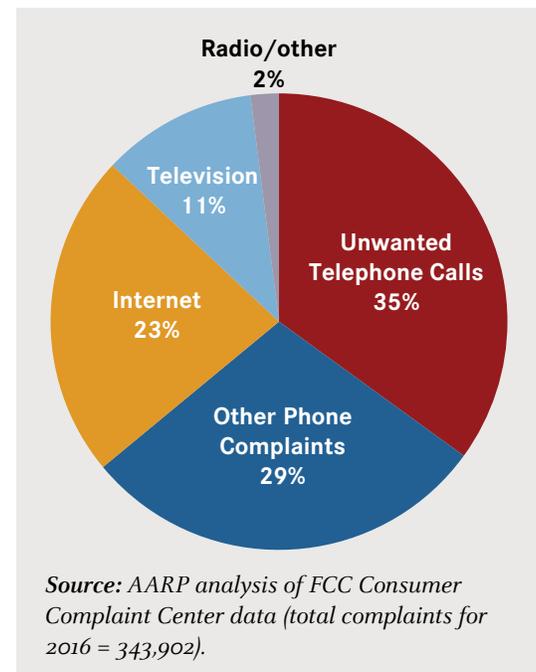
Illegal robocalls are more than just a nuisance for consumers; they can also result in fraud. The Federal Trade Commission (FTC) notes that consumers lose \$350 million annually through phone scams.<sup>3</sup> These calls are a particular concern for older consumers since scammers often assume seniors have accumulated significant wealth, are less likely to know they are being scammed, and are less likely to report that a crime has occurred.<sup>4</sup>

One common type of fraud involves calls delivering threatening messages claiming the recipient owes money and must pay immediately or be subject to legal action. According to the Internal Revenue Service (IRS), one popular scam utilizes illegal robocalls claiming that the recipient owes back taxes and will face imprisonment if he or she does not pay. More than 10,000 Americans have lost money to fraudsters in this highly successful scam.<sup>5</sup>

### What Is Being Done to Stop Illegal Robocalls?

In 2003, the FCC revised the TCPA rules to establish, in coordination with the FTC, a national Do-Not-Call Registry to help consumers avoid

**FIGURE 1**  
Unwanted Telephone Calls Topped FCC’s Consumer Complaint List in 2016



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unwanted telemarketing calls. In addition, in 2012 the FCC instituted new rules requiring telemarketers to obtain prior written consent from consumers before making robocalls, prohibited telemarketers from using an “established business relationship” to bypass the written-consent rule, and required telemarketers to provide an automated consumer “opt-out” mechanism during each robocall.

Going forward, the FCC is proposing new methods to provide consumers with additional protections against illegal robocalls. For example, the FCC is looking to develop a “Do Not Originate” rule that would allow the legitimate owners of phone numbers to register their number to prevent “spoofing”—a technique in which scammers change the number displayed by Caller ID systems so call recipients believe that the call is coming from a number different than the one from which it actually originates. Once a number is added to the list, phone companies can block calls that try to spoof that phone number. This method will not only reduce robocalls but also further benefit consumers by preventing their phone numbers from being associated with illegal and possibly fraudulent activity.

Another FCC proposal allows phone companies to block any phone number that is incomplete or uses invalid numbers. For example, robocalls often spoof phone numbers by using combinations of area codes and phone numbers that do not exist or that are not currently assigned to customers. The proposed rules provide legal authority for phone companies to block such numbers before any calls are made—something companies are currently unable to do. A test of this concept in the third quarter of 2016 successfully reduced IRS scam robocalls by close to 90 percent.<sup>6</sup>

### What Else Can Be Done to Protect Consumers?

While it is clear that there is no single solution to ending the torrent of illegal robocalls, developing new tools to help eliminate these calls and prevent Caller ID spoofing are important steps toward addressing the problem. However, it is also necessary to enhance consumer education, particularly for older consumers, about these types of calls and how to avoid falling victim to associated scams. One example is AARP’s Fraud Watch Network, which provides consumers information about common scams, including telemarketing fraud, and how to avoid them.<sup>7</sup> Furthermore, prosecuting those behind the calls can help reduce the number of annoying and fraudulent calls and protect consumers. To better deter repeat offenders, it is critical to have robust enforcement, with escalating penalties for continued violations.

- 1 Federal Communications Commission (FCC), “Advanced Methods to Target and Eliminate Unlawful Robocalls,” FCC Fact Sheet, FCC, March 2, 2017, [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-343731A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-343731A1.pdf).
- 2 Robocall Strike Force, *Robocall Strike Force Report* Robocall Strike Force, October 26, 2016, <https://transition.fcc.gov/cgb/Robocall-Strike-Force-Final-Report.pdf>.
- 3 Federal Trade Commission, *Consumer Fraud in the United States, 2011* (Bureau of Economics Federal Trade Commission, April 2013).
- 4 “Scams and Safety: Fraud Against Seniors,” Federal Bureau of Investigation, accessed August 23, 2017, <https://www.fbi.gov/scams-and-safety/common-fraud-schemes/seniors>.
- 5 Internal Revenue Service (IRS), “Phone Scams a Serious Threat: Remain on the IRS ‘Dirty Dozen’ List for Tax Scams for 2017,” February 2, 2017, <https://www.irs.gov/uac/newsroom/phone-scams-remain-serious-threat-no-2-on-the-irs-dirty-dozen-list-of-tax-scams-for-2017>.
- 6 Robocall Strike Force, *Robocall Strike Force Report*, October 26, 2016.
- 7 [http://www.aarp.org/money/scams-fraud/fraud-watch-network/?intcmp=LNK-BRD-MC-REALPOSS\\_SF](http://www.aarp.org/money/scams-fraud/fraud-watch-network/?intcmp=LNK-BRD-MC-REALPOSS_SF)

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