

FTC-FCC
Joint Policy Forum on Fighting the Scourge of Illegal Robocalls
Remarks of FTC Commissioner Terrell McSweeney
March 23, 2018

Good morning everyone, it is such a pleasure to be here. Before I begin, I want to make the usual disclaimer that the remarks I will be giving are my opinions and not necessarily those of my colleague or the staff of the Federal Trade Commission.

Privacy – and more specifically Americans rights to and control over their data – is once again in the news. It bears noting the origin of the Do Not Call Registry stemmed from a bipartisan effort to protect American’s privacy in 2003. At the time, Democrats and Republicans came together to provide a way for people to protect themselves from the unwanted intrusion of telemarketing calls. Now, I recognize we’re here today because technology and scammers find ways around those protections – more on that in a minute – but I don’t think that makes the achievement of providing consumers with better protections any less notable.

If anything, the news and events of the last week underscore that American consumers deserve stronger protections for their data. The technology we all use in our daily lives is increasingly sophisticated. And the amount of data we are sharing is increasingly intimate. Without proper protections, our own data can be – and is being - used against us. The incentives in the marketplace drive toward ever greater collection and use of our data. The FCC, the FTC – and other expert consumer protection regulators all have a role to play. But without a stronger and more resilient framework – one that includes requiring an opt-in choice for the monetization of sensitive information – American consumers are going to be left vulnerable at a time we can least afford to be. It is time for Democrats and Republicans to come together to make progress on stronger protections for the digital age such as comprehensive data security and privacy laws, transparency and accountability for data brokers, and rights to and control over their data.

Of course, passing stronger protections is just the first step – strong agencies need to work together to enforce them. That’s why we’re here today. To talk about the important work the FTC, the FCC and our state partners are doing to shut down the law violators that continue to flood our phones with illegal calls. Here, at least, we can all agree that having as many law

enforcement partners as possible to safeguard consumer privacy and protect consumers from fraud and abuse is critical [or a no-brainer]. As we just heard, multiple enforcement partners leverage different expertise, different jurisdictional authority and different resources to combat this threat.

And I am particularly proud of the enforcement action the FTC announced today against home security installation company Alliance Security and its telemarketers. According to our complaint, the Alliance defendants made at least 2 million illegal calls to consumers. Violating the law is no way to sell security.

But as we know, even with many cops on the beat, the calls keep coming. Consumers need effective tools to stop the seemingly endless calls and they need meaningful choices to select the best tool for them. The good news is that today there are a growing number of call-blocking tools and choices.

When I first came to the Commission in 2014, consumers had very few options to stop unwanted calls. As a result of the FTC's first robocall challenge, Nomorobo was available for VOIP home phones, which was a good start, but there were very few options for wireless and little to no options being offered directly by the providers. After three more FTC public challenges and continuous work with industry, both the upstart innovators and the providers—today the landscape is very different. A number of providers offer some type of call blocking services directly to their VOIP or wireless customers or both. And wireless customers now have a number of call blocking apps to choose from. CTIA, who we will hear from on the next panel, puts out a list of over 40 apps for iOS and Android phones alone.¹

So why aren't these tools having a greater impact and what can we do to help?

¹ The Cellular Telecommunications Industry Association (CTIA) maintains a list of some of the available call blocking apps, both for iOS devices: <https://www.ctia.org/consumer-tips/robocalls/ios-robocall-blocking> and for Android devices: <https://www.ctia.org/consumer-tips/robocalls/android-robocall-blocking> (last visited Mar. 20, 2018).

First off, many consumers don't know that there are more tools available today to stop illegal or unwanted calls. We are working to change that--with today's event, the upcoming expo next month, and through our consumer education.

Second, these tools aren't available to all consumers. Not all providers offer call-blocking solutions to their customers. Why not? When consumers pay for phone service, shouldn't they be able to expect that they are getting the best available protection from illegal calls? And finally, consumers with traditional copper landlines still have very few options to stop illegal calls—there's no app for that.

The best way to fill in these gaps, and what I am excited to hear more about from the next panel, is to empower and expect providers to deploy solutions at the network level that will reach every consumer. Effective call blocking tools should be available to all consumers. And of course trust must be restored to Caller ID information through adoption of the STIR/SHAKEN framework for Caller ID authentication—sooner rather than later.

I know that the FTC stands ready to do our part to make sure that consumers understand these tools and how best to use them to protect against illegal calls.

With that, I will turn it over to our next panel: Solutions and Tools for Consumers.