

United States of America FEDERAL TRADE COMMISSION East Central Region

Jon Miller Steiger Director

November 29, 2023

CEASE AND DESIST DEMAND

VIA EMAIL TO: stephanie.minnock@lumen.com

CenturyLink Communications, LLC Kathleen Johnson, CEO 100 CenturyLink Drive Monroe, LA 71203 c/o Stephanie Minnock, Registered Agent

We have determined that CenturyLink Communications, LLC, is apparently routing and transmitting illegal robocall traffic, directly or indirectly, for entities involved in the following campaigns:

- Amazon-AuthorizeOrder
- Amazon-AuthorizeOrder-P2
- Amazon-AuthorizeOrder-P3
- Amazon-Impers-P2
- Amazon-SuspiciousCharge
- Amazon-SuspiciousCharge-P1
- Amazon-Various
- AutoWarranty-Extend3
- Bank-Impers-P2
- CCIRR-Expire
- Chinese-Consulate-P2
- Computer-Hijack-P1
- Debt Reduction-Account Holder Impersonation
- Discount-Avail50%
- Discount-DirecTV50
- Financial-Impers-2
- Financial-Impers-7

- **HBCU-Threat**
- LegalDept-Action-P1
- Legal-Enforcement-Notice
- Medicare-AddlBenefits
- SpamCalls-DetentionCenter
- SSA-KindlyPressOne
- SSA-P1-TexasFraud (GovtImpers)
- SSA-Suspended
- StudentLoan-FederalSuspension
- StudentLoan-Forgiveness-P2
- TaxReduction-IRSSuspendedCollection
- Travel Scam
- Utility-30MinDisconnect
- Utility-PugetSoundEnergy
- Verizon-Impers-P1

More specifically, our investigation revealed that CenturyLink Communications, LLC, apparently routed and transmitted illegal robocalls as set forth in Attachment A.

The Federal Trade Commission (FTC) works closely with USTelecom's Industry Traceback Group (ITG), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks. Between December 30, 2020, and September 11, 2023, ITG investigated 80 prerecorded voice message calls that law enforcement, voice service providers using honeypots (i.e., unassigned numbers held by providers to detect illegal robocalls), and customers of YouMail had flagged as illegal robocalls made without consent of the called party.² ITG conducted tracebacks and determined that CenturyLink Communications, LLC, routed and transmitted the calls. ITG previously notified you of these calls and provided you access to supporting data identifying each call—including a recording and/or a description of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to CenturyLink Communications, LLC, indicate that you are apparently routing and transmitting illegal robocall traffic knowingly. **IF YOU ARE ENGAGED IN THESE** ACTIVITIES, THEN YOU MUST IMMEDIATELY CEASE AND DESIST FROM

ENGAGING IN THEM.

The FTC, the nation's consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits "assisting and facilitating" certain specified conduct. Under that provision, it is unlawful for any person or entity to "provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller

¹ See Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

² See 16 C.F.R. § 310.4(b)(1)(v).

³ A copy of the TSR is attached as Attachment B.

or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule." These Sections prohibit, among others, the following conduct:

- Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
- Misrepresenting a seller or telemarketer's affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
- Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
- Initiating or causing the initiation of calls that deliver prerecorded messages, unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
- Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).

The FTC can obtain civil penalties for TSR violations. Each illegal call is subject to a maximum civil penalty of \$50,120. See 16 C.F.R. § 1.98. In addition, a violation of the TSR is a violation of Section 5 of the FTC Act. See 15 U.S.C. §§ 6102(c), 57a(d)(3), 45(a). Accordingly, the FTC has authority to seek both preliminary and permanent injunctive relief to address TSR violations. See 15 U.S.C. § 53(b). The FTC may also seek the refund of money or payment of damages to address TSR violations. See 15 U.S.C. § 57b(b).

Combatting illegal telemarketing is a top priority for the FTC, with a special emphasis on halting illegal robocalls.⁵ We want you to be aware that the FTC has, for example, brought assisting and facilitating claims against technology companies that knowingly provided software and servers used by illegal robocallers, even though these technology companies did not contract directly with the illegal robocallers. *See FTC v. James B. Christiano*, Case No. 8:18-cv-00936 (C.D. Cal. May 31, 2018).

We also bring to your attention that the FTC has sued VoIP service providers for allegedly violating the TSR. In *FTC v. Educare*, the FTC alleged that defendant Globex Telecom, Inc. assisted and facilitated telemarketers it knew, or consciously avoided knowing, were violating the TSR's prohibitions on calls delivering prerecorded messages. *See FTC v. Educare Centre Services, Inc.*, No. 3:19-cv-00196-KC (W.D. Tex. Dec. 3, 2019). In September, 2020, Globex Telecom and its associates agreed to pay \$2.1 million to settle the FTC lawsuit, and Globex Telecom's former CEO and President was banned from telemarketing to the

⁴ These calls are often referred to as "robocalls."

⁶ A copy of the FTC's Amended Complaint is attached as Attachment C.

U.S. and was subject to a permanent court order. Similarly, in *FTC v. Alcazar Networks, Inc.*, the FTC alleged that Alcazar Networks, Inc. and its founder and sole owner assisted and facilitated telemarketers responsible for tens of millions of illegal telemarketing calls, including robocalls and spoofed calls that displayed "911" as the caller ID. *See FTC v. Alcazar Networks Inc.*, *et al.*, No. 6:20-cv-2200 (M.D. Fla. Dec. 3, 2020). As part of their settlement with the FTC in January 2021, the defendants agreed to a permanent injunction that prohibits similar misconduct in the future and requires them to screen and monitor their customers, as well as imposing a monetary penalty. 9

The FTC has business educational materials that can assist you in complying with the TSR. *See* https://www.ftc.gov/tips-advice/business-center/guidance/complying-telemarketing-sales-rule.

In addition to FTC regulations and the FTC's actions against providers of VoIP services, you should also be aware that the United States Department of Justice (DOJ), state attorneys general, and other agencies have brought civil actions against VoIP companies and their owners. In two cases, DOJ alleged that the defendants were committing and conspiring to commit wire fraud by knowingly transmitting robocalls that impersonated federal government agencies. ¹⁰ In August 2020, a federal district court entered a permanent court order barring the defendants from conveying telephone calls into the U.S. telephone system. ¹¹ State cases have had similar impacts. ¹²

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⁷ See https://www.ftc.gov/news-events/press-releases/2020/09/globex-telecom-associates-will-pay-21-million-settling-ftcs-first.

⁸ A copy of the FTC's Complaint is attached as Attachment D.

⁹ See https://www.ftc.gov/news-events/press-releases/2020/12/ftc-takes-action-against-second-voip-service-provider.

¹⁰ See https://www.justice.gov/opa/pr/department-justice-files-actions-stop-telecom-carriers-who-facilitated-hundreds-millions.

¹¹ See https://www.justice.gov/opa/pr/district-court-enters-permanent-injunction-shutting-down-telecom-carriers-who-facilitated.

¹² For example, the Vermont and Michigan Attorneys General have brought successful actions against VoIP providers who route scam robocall traffic. *See*

https://ago.vermont.gov/blog/2022/08/02/vermont-joins-nationwide-anti-robocall-task-force; https://www.michigan.gov/ag/news/press-releases/2020/08/07/ag-nessel-announces-settlement-eliminating-telecom-carrier-responsible-for-illegal-robocalls;

https://www.michigan.gov/documents/ag/Assurance_of_Voluntary_Compliance_-All Access Telecom FINAL 9-11-20 702047 7.pdf.

Within three business days, please send a message to FTC attorney Fil Maria de Banate via electronic mail at fdebanate@ftc.gov, certifying that CenturyLink Communications, LLC, has ceased engaging in the activities described above that may subject it to liability under the TSR or the FTC Act. Please direct any inquiries regarding this letter to Mr. de Banate by email or by telephone at 216.263.3413.

Sincerely,

Jon Miller Steiger

In Mills Steiger

Director

Enclosures:

Attachment A (Chart of illegal robocalls)

Attachment B (TSR)

Attachment C (Educare Amended Complaint)

Attachment D (Alcazar Complaint)



Date of ITG Notification	Date of Call	Caller ID	Robocall Campaign Identifier	Link to Robocall Recording	Potential Violation
9/12/2023	9/11/2023	18830407692	Chinese-Consulate-P2	https://portal.tracebacks.org/api/public/ attachments/1367101	16 C.F.R. § 310.4(b)(1)(v)
9/6/2023	9/5/2023	447720612318	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/ attachments/1365826	16 C.F.R. § 310.4(b)(1)(v)
8/25/2023	8/16/2023	18777272932	Financial-Impers-7		16 C.F.R. § 310.4(b)(1)(v)
8/23/2023	8/22/2023	18002112662	Chinese-Consulate-P2	https://portal.tracebacks.org/api/public/ attachments/1362813	16 C.F.R. § 310.4(b)(1)(v)
8/23/2023	8/22/2023	18002165017	Chinese-Consulate-P2	https://portal.tracebacks.org/api/public/ attachments/1362811	16 C.F.R. § 310.4(b)(1)(v)
8/23/2023	8/22/2023	18004083057	Chinese-Consulate-P2	https://portal.tracebacks.org/api/public/ attachments/1362809	16 C.F.R. § 310.4(b)(1)(v)
8/9/2023	8/8/2023	18442862110	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/ attachments/1357914	16 C.F.R. § 310.4(b)(1)(v)
7/14/2023	7/5/2023	18887622265	Financial-Impers-2		16 C.F.R. § 310.4(b)(1)(v)
6/21/2023	6/19/2023	16434000430	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/ attachments/1331478	16 C.F.R. § 310.4(b)(1)(v)
6/21/2023	6/19/2023	16434562067	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/ attachments/1331476	16 C.F.R. § 310.4(b)(1)(v)
6/21/2023	6/19/2023	16434158973	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/ attachments/1331474	16 C.F.R. § 310.4(b)(1)(v)
5/25/2023	5/24/2023	18008801077	Verizon-Impers-P1		16 C.F.R. § 310.4(b)(1)(v)
5/25/2023	5/24/2023	18008801077	Verizon-Impers-P1		16 C.F.R. § 310.4(b)(1)(v)
2/22/2023	2/20/2023	4433071313	SpamCalls-DetentionCenter		16 C.F.R. § 310.4(b)(1)(v)
11/15/2022	11/14/2022	9808255006	StudentLoan-Forgiveness-P2	https://portal.tracebacks.org/api/public/ attachments/1132273	16 C.F.R. § 310.4(b)(1)(v)
9/16/2022	9/13/2022	7736828352	Amazon-AuthorizeOrder-P3	https://portal.tracebacks.org/api/public/ attachments/1037793	16 C.F.R. § 310.4(b)(1)(v)
9/7/2022	9/6/2022	7572861948	Discount-Avail50%	https://portal.tracebacks.org/api/public/ attachments/1025739	16 C.F.R. § 310.4(b)(1)(v)
8/31/2022	8/30/2022	8126153778	CCIRR-Expire	https://portal.tracebacks.org/api/public/ attachments/1019377	16 C.F.R. § 310.4(b)(1)(v)
7/19/2022	7/6/2022	5162737869	Computer-Hijack-P1		16 C.F.R. § 310.4(b)(1)(v)
7/19/2022	7/6/2022	5162737869	Computer-Hijack-P1		16 C.F.R. § 310.4(b)(1)(v)
7/19/2022	7/6/2022	5162737869	Computer-Hijack-P1		16 C.F.R. § 310.4(b)(1)(v)
7/6/2022	7/5/2022	9546044038	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/947228	16 C.F.R. § 310.4(b)(1)(v)
6/30/2022	6/28/2022	5635059548	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/attachments/940843	16 C.F.R. § 310.4(b)(1)(v)
6/28/2022	6/27/2022	4787375569	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936584	16 C.F.R. § 310.4(b)(1)(v)
6/28/2022	6/27/2022	7407095721	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936582	16 C.F.R. § 310.4(b)(1)(v)
6/28/2022	6/27/2022	2532417782	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936569	16 C.F.R. § 310.4(b)(1)(v)
6/28/2022	6/27/2022	7172265456	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936568	16 C.F.R. § 310.4(b)(1)(v)
6/28/2022	6/27/2022	2489337642	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936566	16 C.F.R. § 310.4(b)(1)(v)

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6/28/2022	6/23/2022	2565581796	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936591	16 C.F.R. § 310.4(b)(1)(v)
6/28/2022	6/23/2022	6179539553	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/936589	16 C.F.R. § 310.4(b)(1)(v)
6/24/2022	6/23/2022	9513133753	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/929967	16 C.F.R. § 310.4(b)(1)(v)
6/24/2022	6/22/2022	6072702383	AutoWarranty-Extend3	https://portal.tracebacks.org/api/public/ attachments/927202	16 C.F.R.
6/15/2022	6/14/2022	2063217198	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/	§ 310.4(b)(1)(v) 16 C.F.R.
				attachments/915296 https://portal.tracebacks.org/api/public/	§ 310.4(b)(1)(v) 16 C.F.R.
6/15/2022	6/14/2022	8008545893	Discount-DirecTV50	attachments/915213	§ 310.4(b)(1)(v)
5/26/2022	5/25/2022	4353261935	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/875555	16 C.F.R. § 310.4(b)(1)(v)
5/25/2022	5/24/2022	8556523670	Discount-DirecTV50	https://portal.tracebacks.org/api/public/ attachments/872751	16 C.F.R. § 310.4(b)(1)(v)
5/18/2022	5/16/2022	4783131833	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/859416	16 C.F.R. § 310.4(b)(1)(v)
5/5/2022	4/28/2022	2538672669	Amazon-AuthorizeOrder-P2	attacimients/03/410	16 C.F.R.
	1/20/2020		77.W. D. (0. 45)		§ 310.4(b)(1)(v) 16 C.F.R.
5/5/2022	4/28/2022	8009629498	Utility-PugetSoundEnergy	1,, // , 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	§ 310.4(b)(1)(v)
5/4/2022	5/3/2022	2107261981	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/833955	16 C.F.R. § 310.4(b)(1)(v)
5/4/2022	5/3/2022	2817394466	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/833952	16 C.F.R. § 310.4(b)(1)(v)
5/4/2022	5/3/2022	2565843709	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/833951	16 C.F.R. § 310.4(b)(1)(v)
5/4/2022	5/2/2022	5123190158	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/833936	16 C.F.R. § 310.4(b)(1)(v)
5/4/2022	5/2/2022	4231468756	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/833935	16 C.F.R. § 310.4(b)(1)(v)
4/25/2022	4/19/2022	8885893473	Bank-Impers-P2		16 C.F.R. § 310.4(b)(1)(v)
4/19/2022	4/18/2022	8017230104	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/815827	16 C.F.R. § 310.4(b)(1)(v)
4/19/2022	4/18/2022	6159515601	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/815820	16 C.F.R. § 310.4(b)(1)(v)
4/13/2022	4/11/2022	5014548340	SSA-Suspended	https://portal.tracebacks.org/api/public/ attachments/807762	16 C.F.R. § 310.4(b)(1)(v)
4/8/2022	4/6/2022	6785648225	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/798937	16 C.F.R. § 310.4(b)(1)(v)
4/8/2022	4/5/2022	2146667719	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/798933	16 C.F.R. § 310.4(b)(1)(v)
4/8/2022	4/5/2022	2296796470	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/798929	16 C.F.R. § 310.4(b)(1)(v)
4/7/2022	4/6/2022	9169264478	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/798939	16 C.F.R. § 310.4(b)(1)(v)
4/7/2022	4/4/2022	6619305411	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/ attachments/798926	16 C.F.R. § 310.4(b)(1)(v)
3/31/2022	3/29/2022	3474395461	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/790381	16 C.F.R. § 310.4(b)(1)(v)
3/8/2022	2/23/2022	0000000000	HBCU-Threat		16 C.F.R. § 310.4(b)(1)(v)
3/2/2022	2/28/2022	3526367310	SSA-P1-TexasFraud (GovtImpers)	https://portal.tracebacks.org/api/public/attachments/723503	16 C.F.R. § 310.4(b)(1)(v)
3/1/2022	2/28/2022	9795171486	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/719738	16 C.F.R. § 310.4(b)(1)(v)
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3/1/2022	2/28/2022	6013618970	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/719731	16 C.F.R. § 310.4(b)(1)(v
2/18/2022	2/17/2022	8184706393	LegalDept-Action-P1	https://portal.tracebacks.org/api/public/ attachments/702986	16 C.F.R. § 310.4(b)(1)(v
2/16/2022	2/15/2022	5127830740	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/ attachments/698011	16 C.F.R. § 310.4(b)(1)(v
2/15/2022	2/14/2022	2243231497	SSA-KindlyPressOne	https://portal.tracebacks.org/api/public/ attachments/694456	16 C.F.R. § 310.4(b)(1)(
2/10/2022	2/7/2022	61386675432	Amazon-SuspiciousCharge	https://portal.tracebacks.org/api/public/ attachments/683937	16 C.F.R. § 310.4(b)(1)(
2/4/2022	2/2/2022	2514768110	SSA-KindlyPressOne	https://portal.tracebacks.org/api/public/ attachments/668463	16 C.F.R. § 310.4(b)(1)(
2/4/2022	2/2/2022	7132727036	SSA-KindlyPressOne	https://portal.tracebacks.org/api/public/ attachments/668455	16 C.F.R. § 310.4(b)(1)(
1/18/2022	1/17/2022	2708595751	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/ attachments/638984	16 C.F.R. § 310.4(b)(1)(
1/18/2022	1/17/2022	8598843342	Amazon-AuthorizeOrder	https://portal.tracebacks.org/api/public/ attachments/638981	16 C.F.R. § 310.4(b)(1)(
12/28/2021	12/23/2021	9547164312	Amazon-SuspiciousCharge-P1	https://portal.tracebacks.org/api/public/ attachments/615278	16 C.F.R. § 310.4(b)(1)(
12/19/2021	12/13/2021	8039898430	Amazon-SuspiciousCharge	https://portal.tracebacks.org/api/public/ attachments/604166	16 C.F.R. § 310.4(b)(1)(
12/14/2021	12/10/2021	8636966975	SSA-Suspended	https://portal.tracebacks.org/api/public/ attachments/598192	16 C.F.R. § 310.4(b)(1)
10/5/2021	10/4/2021	0002562533	Legal-Enforcement-Notice	https://portal.tracebacks.org/api/public/ attachments/491052	16 C.F.R. § 310.4(b)(1)
6/25/2021	6/18/2021	8886147789	Amazon-Various		16 C.F.R. § 310.4(b)(1)
6/7/2021	6/4/2021	2284242352	SSA-Suspended	https://portal.tracebacks.org/api/public/ attachments/183312	16 C.F.R. § 310.4(b)(1)
5/20/2021	5/19/2021	8062907491	Travel Scam	https://portal.tracebacks.org/api/public/ attachments/135556	16 C.F.R. § 310.4(b)(1)
1/27/2021	1/26/2021	5393602013	Reduction-Account Holder Imperson	https://portal.tracebacks.org/ani/public/	16 C.F.R. § 310.4(b)(1)
1/25/2021	1/25/2021	7139557395	Utility-30MinDisconnect	https://portal.tracebacks.org/api/public/ attachments/28866	16 C.F.R. § 310.4(b)(1)
1/15/2021	1/11/2021	2812057135	StudentLoan-FederalSuspension	https://portal.tracebacks.org/api/public/ attachments/28321	16 C.F.R. § 310.4(b)(1)
1/15/2021	1/8/2021	2703231200	axReduction-IRSSuspendedCollectio	1,, // , 1, 1 1 / '/ 11' /	16 C.F.R. § 310.4(b)(1)
1/11/2021	1/9/2021	7062599441	Utility-30MinDisconnect	https://portal.tracebacks.org/api/public/ attachments/27854	16 C.F.R. § 310.4(b)(1)
1/6/2021	1/6/2021	8325548394	Utility-30MinDisconnect	https://portal.tracebacks.org/api/public/ attachments/27595	16 C.F.R. § 310.4(b)(1)(
1/5/2021	12/30/2020	2702321470	Medicare-AddlBenefits	https://portal.tracebacks.org/api/public/ attachments/27477	16 C.F.R.