May 4, 2020

Jonathan Spalter
President & Chief Executive Officer
USTelecom – The Broadband Association
601 New Jersey Ave, NW, Ste. 600
Washington, D.C. 20001

Dear Mr. Spalter,

This letter marks approximately eight months since fifty-one state attorneys general and twelve leading voice service providers ("VSPs") promulgated the Anti-Robocall Principles ("Principles") in order to more effectively combat the unwanted and illegal robocalls inundating the American people.[1] The collaboration reflected in the Principles is intended to halt the onslaught of such calls and to "aid the State Attorneys General in identifying and prosecuting illegal robocallers."[2] The state attorneys general and telecom industry participants also supported efforts by the U.S. Congress to enact the TRACED Act, which focuses on tracing illegal robocalls in addition to other sweeping anti-robocall measures.[3]

We, the Attorneys General of Michigan, Ohio, Alabama, Alaska, American Samoa, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming acknowledge that your efforts and those of several VSPs have furthered the goals of the Principles by both supporting the enactment of the TRACED Act and assisting in tracing the sources of illegal robocalls through the Industry Traceback Group ("ITG"). To date, multiple state attorneys general have issued subpoenas or civil investigative demands to the ITG and received valuable information for their

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[1] Anti-Robocall Principles, dated August 22, 2019 and signed by the State Attorneys General of Michigan, Ohio, North Carolina, New Hampshire, Indiana, Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, AT&T Services, Inc., Bandwidth Inc., CenturyLink, Charter Communications, Inc., Comcast, Consolidated Communications, Inc., Frontier Communications Corporation, Sprint, T-Mobile USA, U.S. Cellular, Verizon, and Windstream Services, LLC.
[2] Id.
[3] Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274.

investigations. In short, the partnership between the ITG and the state attorneys general is a crucial one, and we endeavor to strengthen it.

To this end, the state attorneys general comprising the Executive Committee of the Robocall Technologies Working Group for the National Association of Attorneys General joined with federal agencies, certain other members of the ITG, and USTelecom in Washington, D.C. in late January 2020 to discuss further coordination on identifying illegal robocallers and noncooperative VSPs. At this meeting, the parties discussed the ITG's continued collaboration with the state attorneys general and ways to both augment and streamline the information-sharing process in order to better facilitate enforcement actions by state attorneys general.

We now write you to memorialize those discussions and to underscore how important these collaborative efforts are to the state attorneys general.

Given the exponential growth of illegal robocalls targeting the American public, the state attorneys general plan to continue intensifying our enforcement efforts against illegal robocallers and other related bad actors. As a result, we expect a growing need for data analyses and pattern recognition to better understand changing trends and the overall problem both in individual states and nationwide. Additionally, we contemplate increases in our issuances of subpoenas or civil investigative demands directly to the ITG for tracebacks.

Therefore, we urge the ITG to continue to expand its capabilities related to tracebacks in several ways. Our discussions at the above-referenced meeting in Washington, D.C. identified certain priorities for this expansion and continued cooperation. These priorities—many of which are already beginning to be implemented—include, but are not limited to, the following:

1. Utilizing a wider variety of call data sources to both diversify and aggregate as much pertinent robocall data as possible;

2. Analyzing such data to identify past, current, and future illegal robocall campaigns and trends and to better understand the interconnected ecosystem of businesses facilitating illegal robocallers;

3. Automating traceback investigations and increasing the total volume of such investigations;

4. Alerting relevant law enforcement agencies, including state attorneys general, of suspected illegal robocall campaigns with sufficient information to trigger investigations;

5. Enabling law enforcement agencies to upload and receive responses to subpoenas and civil investigative demands electronically;

6. Providing swift and comprehensive compliance with such subpoenas and civil investigative demands electronically; and

7. Identifying noncooperative VSPs, such as (a) VSPs that do not participate in the traceback process, (b) VSPs that repeatedly originate or accept illegal robocalls, (c) VSPs

that are regularly the domestic point of entry for illegal robocalls originating outside the U.S., and (d) VSPs that are repeatedly incapable of providing sufficient records.

These priorities build on your existing efforts. Furthering their development enables both the VSPs and the state attorneys general to more effectively effectuate the Principles.

We believe implementation of these priorities, in conjunction with steps taken by the state attorneys general and our federal counterparts, will further our collective goal of combating unwanted and illegal robocalls. The undersigned state attorneys general look forward to working with you to carry out the Principles and to provide the American people with a well-deserved reprieve from the growing scourge of unwanted and illegal robocalls.[4]

Sincerely,
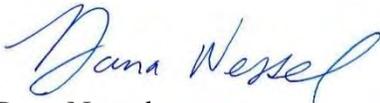
Dana Nessel
Attorney General of Michigan

David Yost
Attorney General of Ohio

Steve Marshall
Alabama Attorney General

Kevin G. Clarkson
Alaska Attorney General

Mitzie Jessop Taase
American Samoa Attorney General

Mark Brnovich
Arizona Attorney General
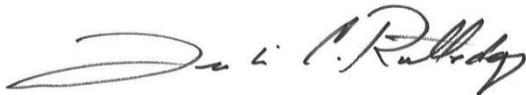
Leslie Rutledge
Arkansas Attorney General

Xavier Becerra
California Attorney General

Phil Weiser
Colorado Attorney General

William Tong
Connecticut Attorney General

Kathleen Jennings
Delaware Attorney General

Karl A. Racine
District of Columbia Attorney General

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[4] This letter does not constitute an endorsement of USTelecom, the ITG, or any individual VSP. Nor does this letter or any related cooperation constitute a release of any party from any potential or future liability.
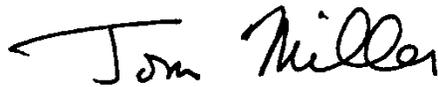
Ashley Moody
Florida Attorney General

Christopher M. Carr
Georgia Attorney General

Clare E. Connors
Hawaii Attorney General
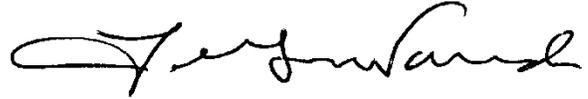
Lawrence Wasden
Idaho Attorney General

Kwame Raoul
Illinois Attorney General

Curtis T. Hill, Jr.
Indiana Attorney General

Tom Miller
Iowa Attorney General

Derek Schmidt
Kansas Attorney General

Daniel Cameron
Kentucky Attorney General

Jeff Landry
Louisiana Attorney General

Aaron M. Frey
Maine Attorney General
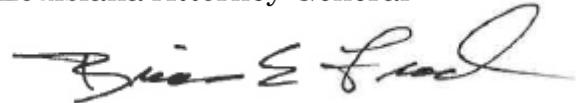
Brian Frosh
Maryland Attorney General

Maura Healey
Massachusetts Attorney General

Keith Ellison
Minnesota Attorney General

Lynn Fitch
Mississippi Attorney General

Eric S. Schmitt
Missouri Attorney General

Tim Fox
Montana Attorney General

Douglas Peterson
Nebraska Attorney General

Aaron D. Ford
Nevada Attorney General

Gordon MacDonald
New Hampshire Attorney General

Gurbir S. Grewal
New Jersey Attorney General

Hector Balderas
New Mexico Attorney General

Letitia James
New York Attorney General

Josh Stein
North Carolina Attorney General
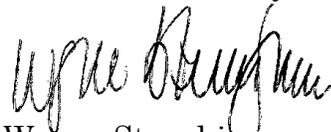
Wayne Stenehjem
North Dakota Attorney General

Mike Hunter
Oklahoma Attorney General
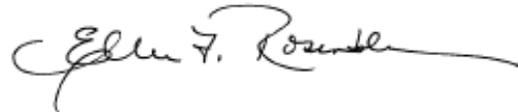
Ellen F. Rosenblum
Oregon Attorney General

Dennise N. Longo Quiñones
Puerto Rico Attorney General

Peter F. Neronha
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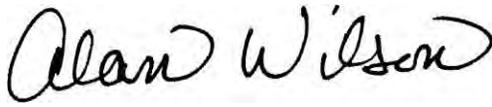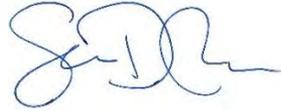
Alan Wilson
South Carolina Attorney General

Jason R. Ravnsborg
South Dakota Attorney General
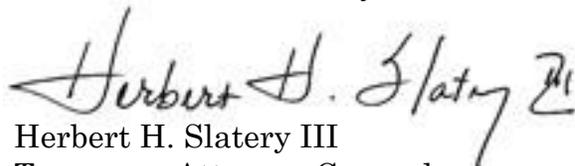
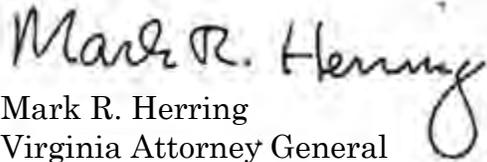Herbert H. Slatery III
Tennessee Attorney General
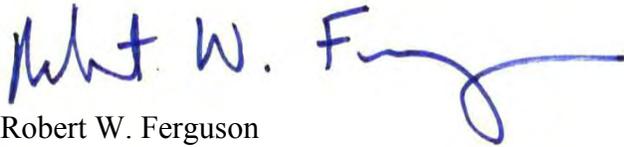
Ken Paxton
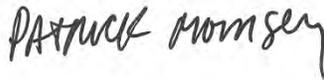Texas Attorney General

Sean Reyes
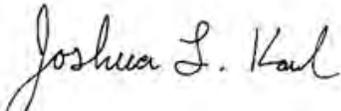Utah Attorney General

T.J. Donovan
Vermont Attorney General

Mark R. Herring
Virginia Attorney General

Robert W. Ferguson
Washington Attorney General

Patrick Morrisey
West Virginia Attorney General

Joshua L. Kaul
Wisconsin Attorney General

Bridget Hill
Wyoming Attorney General