

June 26, 2020

## Hassan, Carper Urge Agencies to Act Against COVID-19 Scam Robocalls

Sens. Maggie Hassan (D., N.H.), and Tom Carper (D., Del.) have urged the FCC, Federal Trade Commission, Department of Justice, and Internal Revenue Service “to take aggressive action to combat robocallers who are attempting to use the COVID-19 pandemic to scam Americans.”

In letters to the heads of the four agencies dated yesterday, Sens. Hassan and Carper said, “Government and industry should always cooperate to fight illegal robocalls, but it is even more critical at a time when so many Americans are facing economic and health concerns.”

They asked each agency to respond to a list of questions regarding its actions regarding scam robocalls related to COVID-19 by July 30.

Specifically, they asked FCC Chairman Ajit Pai for a breakdown on the number and categories of scam calls related to COVID-19 that are reported to the FCC and for information on how it is working with the FTC, DoJ, and the IRS.

“Is additional direction needed from Congress to ensure that the FCC and DOJ work closer together and actually recoup fines that the FCC levies against robocallers? Does the FCC believe that either agency needs additional authority to collect?” they asked.

“Of the six gateway providers warned by the FCC and FTC in April and May to stop facilitating overseas COVID-19 scam robocalls, have all six complied with the agencies’ directive? Of those that complied, please describe the actions taken by FCC to ensure continued compliance,” they added.

They asked FTC Chairman Joseph Simons similar questions about complaints received by the agency, its coordination with the other agencies, and the gateway providers it warned in conjunction with the FCC earlier this year (TR Daily, May 20).

“Please describe how the [FTC’s] Consumer Sentinel Network has been utilized by non-federal law enforcement authorities to investigate scams related to COVID-19 and Economic Impact Payments. Has the FTC seen an increase in registrations for the Consumer Sentinel Network since January 31, 2020?” the senators added.

In addition to asking Attorney General Bill Barr for any data DoJ has on complaints reported to the National Center for Disaster Fraud (NCDF) Hotline and information on its efforts to work with the other agencies, the senators asked whether the department has opened any investigations into COVID-19–related fraud or brought any charges in such cases.

“Will the Department commit to designating resources and personnel to collect any fine assessed by the FCC against Rising Eagle?” they asked, referencing a telemarketer the FCC has found apparently liable for \$225 million in forfeitures for placing illegal robocalls with spoofed caller ID information, in violation of the Truth in Caller ID Act (TR Daily, June 9).

“How many FCC-levied fines has the Department collected since January 21, 2017? How many dollars has the Department collected from FCC-levied fines since January 21, 2017? What barriers to collection are in place, and does the Department believe that it needs additional statutory authority to collect, or that relevant statutes need clarification or updating?” they asked.

Finally, they noted in their letter to IRS Commissioner Charles Rettig that the stimulus payments that Congress authorized the IRS to distribute in the Coronavirus Aid, Relief, and Economic Security (CARES) Act “are targeted by scammers and used to trick and defraud Americans, depriving them of their cash assistance and, ultimately, weakening our economic response and recovery. In April, we sent a letter to you urging cooperation and communication among the IRS, the Federal Communications Commission, and the Federal Trade Commission to protect consumers from stimulus payment fraud, and asking the IRS to implement the Government Accountability Office’s identity protection recommendations from a 2018 report (GAO-18-418) in a timely manner.”

“Is the Internal Revenue Service developing or planning to conduct a ‘lessons learned’ or after-action analysis on how communications, both internal and external, could be strengthened in the event that Congress authorizes further stimulus payments?” they asked.

They also asked him about any data his agency has regarding scam complaints related to COVID-19 reported to the IRS and its cooperation with the other agencies. —Lynn Stanton, [lynn.stanton@wolterskluwer.com](mailto:lynn.stanton@wolterskluwer.com)

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