

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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May 14, 2018

Mr. Scott Hambuchen
Executive Vice President
Technology and Solution Development
First Orion Corp.
500 President Clinton Avenue, Suite 215
Little Rock, AR 72201

Dear Mr. Hambuchen:

Thank you for appearing before the Subcommittee on Digital Commerce and Consumer Protection on Friday, April 27, 2018, to testify at the hearing entitled "Do Not Call: Combating Robocalls and Caller ID Spoofing."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. To facilitate the printing of the hearing record, please respond to these questions by the close of business on Tuesday, May 29, 2018. Your responses should be mailed to Ali Fulling, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to ali.fulling@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Robert E. Latta
Chairman
Subcommittee on Digital Commerce
and Consumer Protection

cc: Jan Schakowsky, Ranking Member, Subcommittee on Digital Commerce and Consumer Protection

Attachment

Additional Questions for the Record

The Honorable Robert E. Latta

1. How many consumers are using your company's robocall-blocking solution? How much does your company charge for your app or service?
2. Please explain how does your robocall-blocking solution work?
3. Typically, when a subscriber downloads your company's robocall-blocking app or service, or is accessed via wireline or wireless provider, what is their general experience in the next few days and weeks? How effective is the app or service in eliminating unwanted calls?
4. What is the false positive percentage rate of your robocall-blocking service?
5. What help can the equipment manufacturers and the consumer electronics industry lend to combat robocalls and spoofing? Has your company had any conversations about adding a "block robocalls" feature to Google Android or Apple iOS so consumers who want to opt-in could have this service added in their initial settings instead of having to download an app.
6. Does your company share call complaint data and information with the FTC for its call complaint sharing initiative? Does your company also input the FTC's call complaint information that is shared everyday with telecommunications companies into your proprietary systems/solutions? What recommendations do you have to enhance the FTC's call complaint sharing initiative? What percentage of your subscribers have provided fraud-related and call complaint information to the FTC in support of their complaint information-sharing initiative?
7. How does your company remediate incorrect labeling or tagging of calls and phone numbers?
8. What are, if any, the privacy issues associated with the audio-fingerprinting of robocalls?

The Honorable Michael C. Burgess

1. As of August 2017, consumer complaints to the FTC regarding Do Not Call or robocall violations are released to telecommunications carriers and call-blocking providers. While this helps reduce the number of illegal robocalls, there is a possibility that legitimate callers may be included on the list. The FCC previously sought comment through a Notice of Proposed Rulemaking on ways to quickly unblock incorrectly blocked calls.
 - a. Can you share the status of this Notice of Proposed Rulemaking (Further Notice of Proposed Rulemaking in the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls)? Will a future Rulemaking be retroactive?

- b. Is there currently any way for a legitimate caller to become unblocked? If so, how is a caller evaluated for legitimacy?
2. Illegal robocalls or spoofed calls often target vulnerable populations, including the elderly or those with limited English ability.
 - a. How can the companies increase the accessibility of resources to educate these populations on potential scams?
3. As consumer “robocall” complaints continue to escalate, regulators and consumers have turned to technological call blocking solutions. Although these solutions are well-intentioned, legitimate businesses, including debt collectors, are discovering their calls are showing up on consumer phones as “suspected scam” or are even being blocked outright. These legitimate businesses have no way of knowing their calls are being mislabeled or blocked. The misclassification of legitimate business calls is a serious issue that threatens the fundamental ability of legitimate businesses to communicate important account information with consumers.
 - a. Given the limitations of current call blocking tools and the substantial harm they can cause to businesses and consumers, do you believe that legitimate business need to know if their calls are being blocked?

The Honorable Gus Bilirakis

1. Are consumers who sign up for a pre-paid mobile option more or less vulnerable to robocalls, spoofing or scams? Are they able to access all of the available tools, free or for fee, if they deemed it worth the price?
2. Can you discuss First Orion’s CallTransparency.com program? As I understand it, your company created the initiative to allow legitimate callers to register and get their call labeled. Can you explain what that means?