

FCC Acts on Blocking One-ring Scam Calls

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Acting in response to yet another requirement of the TRACED Act, the Federal Communications Commission (FCC) has taken steps to protect consumers from “one-ring scams.” As the Commission explained in its November 30, 2020 Report and Order (<https://docs.fcc.gov/public/attachments/FCC-20-171A1.pdf>), “in the one-ring scam, the scammer typically places a call and causes it to disconnect after one ring, in order to induce the called party to call back and incur toll charges, of which the scammer gets a share.”

Section 12 of the TRACED Act directed the FCC “to consider measures to encourage voice service providers to prevent one-ring scam calls from reaching consumers, including rules that providers may block calls likely associated with one-ring scams.” Additionally, the Act called for the Commission to consider how it could “require international gateway providers, which are the point of entry for calls into the United States, to verify with the foreign originator the nature or purpose of calls before transmitting them for completion to U.S. consumers....” The Congress also directed the FCC to consider how it could work with law enforcement agencies, foreign governments and entities providing call blocking services to address these scam calls. Finally, the FCC is to consider, in consultation with the Federal Trade Commission, how to on better educating consumers on how to avoid such calls.

Founded on its previous initiatives to allow call blocking or illegal robocalls, the FCC expressly enable[s] voice service providers to block calls that are highly likely to be associated with one-ring scams.” In doing so the agency “extend[s] to one-ring scam blocking our recently adopted safe harbor for inadvertent blocking of wanted robocalls using reasonable analytics.”

Some argued that a new rule focused on one-ring scam calls was unnecessary in light of prior FCC actions on call blocking. However, the Commission acted to “remove any doubt that voice service providers may lawfully use reasonable analytics to identify and block calls that appear to be one-ring scam calls, even if such identification proves to be erroneous in any particular instance; that they may do so without fear of liability for inadvertently blocking wanted calls; and that they may do so on a network-wide basis.”

The Report and Order further general describes the FCC’s commitment to expanded collaborative efforts, including working with the interagency group, led by the Attorney General, on the subject of one-ring scams, collaborating with the FTC on consumer education, and “enhancing enforcement coordination and cooperation with foreign governments aimed at combatting unlawful cross-border

schemes such as one-ring scams.”

Another TRACED Act mandate now on the books.

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