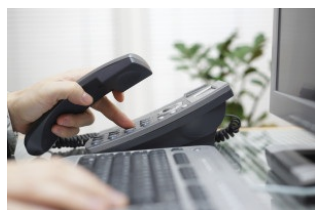


June 2017 FCC Meeting Recap: FCC Seeks to Exempt Threatening Calls from Ability to Mask Number Using Caller ID Privacy Protections

June 26, 2017



At its June 22, 2017 Open Meeting, commissioners of the Federal Communications Commission (FCC) voted to start a proceeding that will consider proposed changes to the agency's rules regarding Caller ID privacy. Specifically, the FCC's [notice of proposed rulemaking](#) ("NPRM") proposes to revise its rules in section 64.1601 to allow law enforcement and interested parties to obtain access to blocked caller information in cases of threatening phone calls.

The FCC's rules require carriers to transmit a calling party's number on interstate calls to interconnecting carriers, which is generally displayed to the called party when using appropriate equipment. However, the FCC recognized that there may parties who have a legitimate privacy interest in keeping the number they are calling from anonymous. The FCC's rules incorporate privacy options that enable the calling party to dial *67 for carriers using signaling system 7 (SS7) and have that code be recognized as a request to block the calling party's number from being passed on to the called party. Similarly, carriers that provide line blocking services recognize *82 as a request to block the number. The current rules prohibit carriers from overriding these requests except in the extremely limited circumstances proscribed in the rules, such as delivering the number to a public agency emergency line or in conjunction with 911.

In the NPRM, the FCC seeks to insert some flexibility in this rule to allow carriers to pass on the calling party number in a broader set of emergency circumstances. The FCC notes that "[i]n recent years, media and law enforcement reports indicate that the number of threatening calls" have increased dramatically and they often cause disruption to schools and communities but law enforcement has no recourse to access the calling party number when it is blocked.

The FCC proposes to amend its rules to include an exemption for "calls that contain a threat of a serious nature" to section 64.101(b)'s prohibition on overriding a caller's privacy indicator request. A *threatening call* would be defined as "any call that includes a threat of serious and imminent unlawful action posing substantial risk to property, life, safety, or health." The FCC also seeks comment on the best way to make a determination about whether a particular case meets the proposed definition. One option being considered is only enforcing the exemption when a law

enforcement officer has confirmed the serious nature of the threat. Additionally, the FCC seeks input on how to ensure the exemption is not abused and privacy interests continue to be protected.

This NPRM also maintains an earlier temporary [waiver](#) of the rules, following a series of bomb threats against Jewish community centers across the country.

Comments will be due 30 days after publication in the Federal Register; and Reply

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