



# PUBLIC NOTICE

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## **CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU SUPPLEMENTS GUIDELINES FOR OPERATION OF THE REASSIGNED NUMBERS DATABASE**

### **CG Docket No. 17-59**

With this Public Notice, we supplement our previous guidance on the Reassigned Numbers Database to improve its utility to subscribers and enhance callers' ability to avoid making unwanted calls to consumers.

In the 2018 *Reassigned Numbers Order*, the Commission addressed the problem of unwanted calls to consumers with numbers reassigned from a previous consumer by establishing a single, comprehensive Reassigned Numbers Database.<sup>1</sup> The database went live on November 1, 2021. Callers can now check the database to ensure they reach consumers that expect their calls and avoid calling consumers with reassigned numbers who may not wish to receive the call.<sup>2</sup>

The Reassigned Numbers Database helps callers by returning one of three responses to "explain whether the number has been reassigned (or more accurately, permanently disconnected) since the date provided": "yes," "no," or "no data."<sup>3</sup> The Bureau issued guidelines for the Reassigned Numbers Database in April 2020<sup>4</sup> but all service providers were not required to maintain records of the data until January 27, 2021.<sup>5</sup> The Bureau also set October 15, 2021 as the date all service providers were required to begin reporting permanent disconnections to the Reassigned Numbers Database Administrator on a

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<sup>1</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Second Report and Order, 33 FCC Rcd 12024 (2018) (*Reassigned Numbers Order*).

<sup>2</sup> *Id.* at 12025, para. 3.

<sup>3</sup> *Id.* at 12031, para. 19.

<sup>4</sup> *Consumer and Governmental Affairs Bureau Establishes Guidelines For Operation of the Reassigned Numbers Database*, CG Docket No. 17-59, Public Notice, 35 FCC Rcd 3559 (2020) (*Guidelines PN*).

<sup>5</sup> *Reassigned Numbers Order*, 33 FCC Rcd at 12039, para. 43; *Guidelines PN*, 35 FCC Rcd at 3559-60. Service providers were required to maintain records of the data beginning July 27, 2020. *Consumer and Governmental Affairs Bureau Announces Compliance Dates for Reassigned Numbers Database Rules*, CG Docket No. 17-59, Public Notice, 35 FCC Rcd 6738 (2020) (*Records Compliance Date PN*). Small service providers had an additional six months to comply with the record keeping and reporting requirements. *Reassigned Numbers Order*, 33 FCC Rcd at 12039, para. 43. Thus the later date, January 27, 2021, is the date when *all* service providers were required to maintain records.

monthly basis.<sup>6</sup> On November 1, 2021, the database became fully operational for queries by paid subscribers.<sup>7</sup>

When querying the database, callers input a phone number and a “date of consent,” which is either the date when the caller obtained consent from the consumer to call the number or a date when the caller could be reasonably certain that the consumer could still be reached at that number. Because the Bureau initially set the relevant dates based on when providers *report* disconnects rather than when they began *maintaining* that data, the date of consent must be on or after October 15, 2021 to guarantee a “yes” or “no” response from the database. If the queried telephone number is not in the database and the date of consent is between January 27, 2021 (the date when all service providers had to maintain disconnection data) and October 15, 2021 (the date when all service providers had to report permanent disconnections to the Reassigned Numbers Database Administrator), the database will return a “no data” response—even though the database contains actionable information regarding whether the number has in fact been disconnected.

Callers using the newly operational database have reported receiving a high number of “no data” responses to their queries, and many of the “no data” responses appear to be a result of how the queries are defined in the database. Because a “no data” response does not clearly state whether a number has been disconnected or reassigned, it is less useful to subscribers than a “yes” or “no” response. In light of this, some potential subscribers have expressed reluctance to use the database, and current subscribers have expressed concerns about its usefulness.

All service providers were required, in their first report, to populate the database with initial data reaching back to at least January 27, 2021. Accordingly, the database now contains disconnection data from all service providers from that date. In order to provide callers with more certainty when they query the database, we supplement our interpretation of when the database should return a “no” or “no data” response as applicable to this expanded set of disconnection data, as follows:

- The Reassigned Numbers Database will return a value of “yes” if the queried number is contained in the database<sup>8</sup> and the date provided in the query is the same as or before the permanent disconnect date for that number in the Reassigned Numbers Database (i.e., the number has been permanently disconnected on or after the date that the caller enters into its query). Callers will not be eligible for the safe harbor described in section 64.1200(m) of the Commission’s rules for calling any number for which the Reassigned Numbers Database returns a value of “yes.”<sup>9</sup>

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<sup>6</sup> *Records Compliance Date PN*, 35 FCC Rcd at 6738; *Consumer and Governmental Affairs Bureau Announces Compliance Date for Remaining Reassigned Numbers Database Rule Regarding Reporting of Disconnect Data*, CG Docket 17-59, Public Notice, 36 FCC Rcd 1441 n.5 (2021) (*Reporting Date PN*) (larger service providers were required to maintain records of disconnected numbers beginning April 27, 2020 and provide that initial data to the database administrator on July 27, 2020; smaller service providers were required to maintain records of permanent disconnections beginning January 27, 2021 and began reporting that data to the administrator on October 15, 2021).

<sup>7</sup> Press Release, FCC, FCC Announces Launch of Reassigned Numbers Database on November 1, 2021 to Reduce Unwanted Calls (Oct. 25, 2021) <https://www.fcc.gov/document/fcc-host-webinar-upon-launch-reassigned-numbers-database-nov-1>.

<sup>8</sup> The Reassigned Numbers Database contains numbers that have been disconnected from the date when providers were required to maintain records of permanent disconnections. Thus, the database does not contain numbers permanently disconnected before that time, nor does it contain numbers that have not been permanently disconnected.

<sup>9</sup> See 47 CFR § 64.1200(m).

- The Reassigned Numbers Database will return a value of “no” if the queried number is in the database and the date the caller provides in its query is after the permanent disconnect date contained in the database, or if the number is not in the database and the date the caller provides is on or after January 27, 2021, the date all service providers were required to maintain records of permanently disconnected numbers (i.e., the number has not been permanently disconnected after the date the caller enters into its query).<sup>10</sup> Callers may be eligible for the safe harbor described in section 64.1200(m) of the Commission’s rules for calling a number for which the Reassigned Numbers Database returns a value of “no.”
- The Reassigned Numbers Database will return a value of “no data” if the queried number and a permanent disconnect date are not contained in the database and the date provided in the query is before January 27, 2021, the date all service providers were required to maintain records of permanently disconnected numbers (i.e., the database does not contain either the date or number data queried by the caller). Callers will not be eligible for the safe harbor described in section 64.1200(m) of the Commission’s rules for calling any number for which the Reassigned Numbers Database returns a value of “no data.”

At a high level, the meaning of the results, as prescribed by the *Reassigned Numbers Order*, remains unchanged: “yes” means the number has been disconnected subsequent to the caller having received prior express consent to call the number, “no” means the number has not been disconnected (and would have been in the database if it had been disconnected), and “no data” means the database does not contain the relevant data to determine whether the number has been disconnected during the time of the query. This supplemental interpretation maximizes the usefulness of the Reassigned Numbers Database by providing callers with the greatest amount of actionable information, in light of the fact that the database went live on November 1, 2021 and it contains data from all service providers from January 27, 2021. The Reassigned Numbers Database Administrator has indicated that the change is technically feasible to make in a timely manner.

*People with Disabilities.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

*Additional Information.* For further information, contact Rebecca Maccaroni of the Consumer and Governmental Affairs Bureau at (202) 418-7603 or [Rebecca.Maccaroni@fcc.gov](mailto:Rebecca.Maccaroni@fcc.gov).

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<sup>10</sup> Small providers had an additional six months to comply with the record keeping requirement; thus, the date by which all providers must maintain records of permanently disconnected numbers is the date by which small providers were required to maintain such records. *Reassigned Numbers Order*, 33 FCC Rcd at 12039-40, paras. 41-45. As of January 27, 2021, small providers were required to maintain records of permanently disconnected numbers. *Records Compliance Date PN*, 35 FCC Rcd at 6738.