

Robodial.Org

Robocall Mitigation Plan

1. Background

Robodial.org has a long-held policy of disallowing illegal robocalls. Robodial has put a great deal of effort into educating and advising our clients on how to make sure their calls are legal, and we make it clear that illegal calls will not be tolerated. We have gone so far as to appear in court to testify against illegal robocallers and helped bring about two convictions.

Illegal robocalls hurt our legitimate business of making legal emergency calls, such as hurricane warnings and state-mandated nursing home and hospital COVID notifications, political calls to help the public learn where and how to vote, informational calls such as pre-school closures, and calls on behalf of Federal, state and municipal governments. We welcome the FCC's actions on illegal robocalls.

2. Verifying Our Clients

Robodial does not make calls for clients we do not know. We verify our clients by:

- a. Performing background checks on new clients to verify that their contact information matches their organization.
- b. Reviewing their organization to ensure it aligns with our policies. For example, we do not serve telemarketers, since almost all telemarketing robocalls are illegal.
- c. Obtaining notarized compliance affidavits from clients, together with samples/copies of robocall consents that they have obtained from their members.
- d. Only communicating with clients via their organization's published contact details, so that new applicants cannot fraudulently claim to be part of a legitimate organization.

Our strategy ensures all calls originating from our service can be traced back to a real person and organization, who is responsible for the call. These policies ensure we quickly answer any subpoena for information about a call and who made it. We make it clear to our clients that they will be held legally responsible for their calls, that the penalties are stiff, and that we will comply with subpoenas we may receive about their calls.

3. Terms of Service

Our clients cannot make any calls without accepting our Terms of Service (TOS), which may be retrieved here: <https://callportal.robodial.org/terms.php>

ROBODIAL · ORG · LLC
4601 · NORTH · FAIRFAX · DRIVE · SUITE · 1200 · ARLINGTON · VA · 22203
Voice: 800 · 314 · 5001
Fax: 866 · 286 · 8271

Here are highlights from our TOS:

Customer is responsible for compliance with the Telephone Consumer Protection Act of 1991 (the "TCPA"), Federal Communications Commission (FCC) regulations, and Federal Trade Commission (FTC) regulations (<http://www.business.ftc.gov/advertising-and-marketing/telemarketing>)

Customer assumes full responsibility for submitting recordings, recording scripts, lists of telephone numbers to be called, and callerid, (hereinafter, "client data") which comply with all local, state, and federal laws.

Customer certifies that the message for Calls placed using Vendor's services shall indicate who is responsible for the call at the beginning of the message, and shall include a contact number for the responsible party within the message, as required by FCC regulations.

Customer certifies that it shall not send any telemarketing Calls using Vendor's services. Telemarketing is defined as a call for the purpose of soliciting the sale of goods or services, or for the purpose of obtaining or disseminating information that may be used for the solicitation of the sale of goods or services.

Customer may request in writing that Vendor permit Calls to wireless devices. Vendor, at its sole discretion, may grant approval for such a request if one of the following two FCC guidelines are met:

I) Customer certifies that it shall obtain and maintain documentation for prior express consent (Consent) from the owners of all wireless devices including, but not limited to, cellular telephones and paging devices, that Customer calls using Vendor's services.

II) Customer certifies that the Calls are made for "emergency purposes" (defined as a situation affecting the health and safety of consumers).

Absent Customer's written request to permit Calls to be made wireless devices, Vendor certifies that Customer's Calls will not be routed to wireless phone numbers in compliance with FCC regulations pursuant to the terms on its website.

Customer certifies that it will not use Site to make Fraudulent Calls, including but not limited to Calls that misrepresent who initiated the Calls, or whose content includes unsubstantiated claims against another person, campaign, or organization, or Calls whose content is purposefully erroneous. Customer recognizes that Fraudulent Calls may violate local, state, and federal laws. If Vendor receives an inquiry about Fraudulent Calls by Customer, Vendor will share all messages, call lists, and other data related to Fraudulent Calls with government agencies only pursuant to valid subpoena and only after providing Customer with notice of at least five business days.

All clients must agree to our TOS each time they make a purchase, prior to placing any calls.

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4. Caller ID Verification

Robodial gives clients access to our legitimate caller ID numbers. Should a call recipient call one of these caller ID numbers back, they will be presented with an option to be placed on our do-not-call list so that Robodial never calls them again.

In addition to our terms of service, which make it clear that clients must use a legitimate caller ID number that belongs to their organization, Robodial also spot checks suspicious caller ID numbers. Since we only work with legitimate clients who want to be called back, we have observed no fraudulent caller IDs, and received no complaints about clients spoofing a caller ID number that does not belong to them. If we ever received such a complaint we would terminate the client's account, as noted in our TOS.

Robodial is building an automated caller ID verification process, which must be completed before a client may set a caller ID for their calls. This verification process will call the number the client wishes to use for caller ID and ask the person who answers to verify that the number may be used as a caller ID number for the client's call.

To meet STIR-SHAKEN requirements, Robodial is also building an add-on subscription service for clients, which will allow them to purchase a verified DID to use for Caller ID. Callbacks to that number will be routed to the client.

5. Do Not Call List Capabilities

Although Robodial does not serve telemarketers, and therefore is not mandated to remove phone numbers on the Federal do-not-call list, Robodial endeavors to reduce unwanted calls. To that end, Robodial maintains its own do-not-call database, which cannot be bypassed by our clients. A phone number may be added to our do-not-call list by any of these methods:

- a. A call recipient may call back our caller ID number and press a digit to be placed on our do-not-call list
- b. For clients who enable the opt-out option on a call, call recipients hear an option during the call which lets them opt-out of future calls.
- c. A call recipient can call the client and ask to be put on the do-not-call list. Our system allows clients to directly add those numbers to the do-not-call list.