



PUBLIC NOTICE

Federal Communications Commission
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DA 21-715

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ENFORCEMENT BUREAU REQUESTS COMMENTS ON SELECTION OF THE REGISTERED TRACEBACK CONSORTIUM

EB Docket No. 20-22

Comment Date: July 2, 2021

The Enforcement Bureau seeks comments on the selection of the industry-led registered consortium to conduct tracebacks of calls that use spoofed caller identification.

The Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act) was signed into law on December 30, 2019.¹ Congress required the Federal Communications Commission (Commission) to “issue rules to establish a registration process for the registration of a single consortium that conducts private-led efforts to trace back the origin of suspected unlawful robocalls.”² The Commission adopted rules to require any new consortium that seeks to be selected as the single registered consortium to file a Letter of Intent to conduct private-led traceback efforts.³ Additionally, the Commission set forth a set of principles for the Bureau to use in selecting the registered consortium to ensure that it satisfies the statutory requirements.⁴ On July 27, 2020, the Bureau designated USTelecom – the Broadband Association’s Industry Traceback Group (USTelecom ITG) as the registered consortium for coordinating industry-led efforts to trace back the origin of suspected unlawful robocalls.⁵

The TRACED Act requires that the Commission consider new interested consortia on an annual basis.⁶ On April 27, 2021 the Bureau requested interested consortia, other than the incumbent registered consortium,⁷ to provide Letters of Intent in accordance with the Commission’s rules and the *Consortium*

¹ Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274 (2019) (TRACED Act).

² TRACED Act § 13(d)(1).

³ *Implementing Section 13(d) of the Pallone-Thune Robocall Abuse Criminal Enforcement and Deterrence Act*, Report and Order and Further Notice of Proposed Rulemaking, 35 FCC Rcd 3113, 3115, para. 10 (2020) (*Consortium Registration Order*).

⁴ TRACED Act § 13(d)(1)(A)-(D) (requiring neutrality; competent management; written best practices; a concerted focus on fraudulent, abusive, or unlawful traffic; and advance notice to the Commission of an intent to conduct traceback efforts); *Consortium Registration Order*, 35 FCC Rcd at 3115, para. 11.

⁵ *Implementing Section 13(d) of the Pallone-Thune Robocall Abuse Criminal Enforcement and Deterrence Act*, Report and Order, 35 FCC Rcd 7886, 7886-87, para. 3 (EB 2020).

⁶ See TRACED Act § 13(d)(2).

⁷ *Consortium Registration Order*, 35 FCC Rcd at 3116, para. 12 (providing that the incumbent registered consortium does not need to file a new Letter of Intent. The certifications contained in the registered consortium’s initial Letter of Intent will continue in effect for each subsequent year unless the incumbent consortium notifies the Commission otherwise in writing before the deadline to submit Letters of Intent.).

*Registration Order.*⁸ The Letter of Intent must demonstrate that the filing entity satisfies the statutory requirements necessary to serve as the single registered consortium. On May 27, 2021, ZipDX LLC submitted a letter of intent to be designated as the registered consortium. That submission is available in EB Docket No. 20-22.

We invite interested parties to comment on ZipDXs submission, as well as on the continuation of USTelecom ITG as the registered traceback consortium. The Bureau will select the registered consortium by August 25, 2021.⁹

Deadline to Submit Comments: July 2, 2021.

Pursuant to sections 1.415 and 1.419 of the Commission's rules,¹⁰ interested parties may file comments on or before the date indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).¹¹

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701, U.S.
- Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.¹²

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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Additional Information. For further information, contact Kristi Thompson, Chief, Telecommunications Consumers Division, Enforcement Bureau, at 202-418-1318 or kristi.thompson@fcc.gov.

⁸ See *Enforcement Bureau Requests Letters of Intent to Become the Registered Industry Consortium for Tracebacks*, Public Notice, DA 21-474 (EB Apr. 26, 2021). The deadline to submit Letters of Intent was May 27, 2021. *Id.*

⁹ *Consortium Registration Order*, 35 FCC Rcd at 3116, para. 12.

¹⁰ 47 CFR §§ 1.415, 1.419.

¹¹ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (May 1, 1998).

¹² See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.