



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

News Media Information 202-418-0500
Internet: www.fcc.gov
TTY: 888-835-5322

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ENFORCEMENT BUREAU REQUESTS INFORMATION ON THE STATUS OF PRIVATE-LED TRACEBACK EFFORTS OF SUSPECTED UNLAWFUL ROBOCALLS

EB Docket No. 20-195

Deadline to Submit Information: November 13, 2023

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 a public notice annually to seek comment on private-led efforts to trace back the source of suspected unlawful robocalls and to issue an annual report on the status of such efforts and the participation of voice service providers in such efforts.² The Enforcement Bureau (Bureau) requests voice service providers and the registered consortium, USTelecom's Industry Traceback Group (Traceback Group), to submit any information necessary for the Commission's annual report.

The reporting period for this request is from November 1, 2022, to October 31, 2023. Submissions are due by November 13, 2023.

Background. Unlawful prerecorded or artificial voice message calls—robocalls—plague the American public. In many instances, unlawful robocalls include inaccurate or misleading caller identification information, known as spoofed caller ID. Spoofed caller ID makes it more difficult to identify the source of the call. In order to enforce the laws prohibiting illegal robocalls, government and industry work together to trace suspected unlawful spoofed robocalls to their origination—a process known as “traceback.” Congress acknowledged the beneficial collaboration between the Commission and the private sector on traceback issues and, in section 13(d) of the TRACED Act, required the Commission to establish a registration process for the registration of a single consortium to conduct private-led traceback efforts and to issue an annual notice seeking registrations. On July 27, 2020, the Bureau selected the Traceback Group as the registered consortium to conduct private-led traceback efforts,³ and it

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(a), (c).

³ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, Report and Order, 35 FCC Rcd 7886, 7886-87, para. 3 (EB 2020).

reselected the Traceback Group in August 2021.⁴ Most recently, the Bureau reselected the Traceback Group as the registered consortium in August 2022.⁵

Section 13(c) of the TRACED Act requires the Commission, not later than 210 days after the date of enactment of the Act (i.e., July 27, 2020), and annually thereafter, to seek additional information from voice service providers and the registered consortium about the status of private-led traceback efforts and the participation of voice service providers in such efforts. Section 13(a) of the TRACED Act requires the Commission to publish an annual report, not later than December 30 each year, on the status of those efforts. Congress mandated that the registered consortium selected to conduct private-led tracebacks and any voice-service provider be given an opportunity to provide information to the Commission to be used in the annual report.⁶ At a minimum, the report must include the following information:⁷

1. A description of private-led efforts to trace back the origin of suspected unlawful robocalls by the registered consortium and the actions taken by the registered consortium to coordinate with the Commission;
2. A list of voice service providers identified by the registered consortium that participated in private-led efforts to trace back the origin of suspected unlawful robocalls through the registered consortium;
3. A list of each voice service provider that received a request from the registered consortium to participate in private-led efforts to trace back the origin of suspected unlawful robocalls and refused to participate, as identified by the registered consortium;
4. The reason, if any, each voice service provider identified by the registered consortium provided for not participating in private-led efforts to trace back the origin of suspected unlawful robocalls; and
5. A description of how the Commission may use the information provided to the Commission by voice service providers or the registered consortium that have participated in private-led efforts to trace back the origin of suspected unlawful robocalls in the enforcement efforts by the Commission.

Submission Process: Information may be filed via ECFS (www.fcc.gov/ecfs) in EB Docket No. 20-195.⁸ If filers wish to include confidential information as part of their submitted information, they must submit: (1) a redacted, public version via ECFS; and (2) a non-redacted, confidential version electronically to the Enforcement Bureau. Filers should contact Kristi Thompson by phone (at 202-418-1318) or e-mail (kristi.thompson@fcc.gov) to arrange electronic submission of the non-redacted version. Confidential material must be marked as such and requests for confidential treatment must conform to the requirements of section 0.459 of the Commission's rules.⁹

Parties may choose to file by paper; such filers 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

⁴ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, Report and Order, 36 FCC Rcd 12872, 12872, para. 1 (EB 2021)

⁵ *Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act)*, EB Docket No. 20-22, Report and Order, DA 22-870, at 1, para. 1 (EB Aug. 22, 2022).

⁶ TRACED Act § 13(c).

⁷ *Id.* § 13(b).

⁸ *See Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

⁹ 47 CFR § 0.459.

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-19.¹⁰

Deadline to Submit Information: November 13, 2023.

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 and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).

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

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¹⁰ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.