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For Immediate Release

FCC PRIVACY TASK FORCE ANNOUNCES PROPOSED RULES TO PROTECT CONSUMERS' CELL PHONE ACCOUNTS

Chairwoman Rosenworcel Has Circulated Rules to Strengthen FCC Protections Against SIM Swapping and Port-Out Scams

WASHINGTON, July 11, 2023—The FCC's Privacy and Data Protection Task Force today announced new rules to protect consumers against scams that aim to commandeer their cell phone accounts.

What's New?

Chairwoman Jessica Rosenworcel shared the new rules with her colleagues for their consideration. If adopted by a vote of the full Commission, the rules would help protect consumers from scammers who target data and personal information through SIM swapping scams and port-out fraud by stealing consumers' cell phone accounts without ever gaining physical control of a consumer's phone.

FCC Chairwoman Rosenworcel

"Every consumer has a right to expect that their mobile phone service providers keep their accounts secure and their data private. These updated rules will help protect consumers from ugly new frauds while maintaining their well-established freedom to pick their preferred device and provider. I ask my colleagues to join me in supporting these common-sense consumer protections."

Privacy and Data Protection Task Force

The FCC is focused on protecting consumers' data from attacks like these cell phone account scams. To lead and coordinate this important work, Chairwoman Rosenworcel created the Privacy and Data Protection Task Force to work on privacy and data protection issues subject to the Commission's authority under the Communications Act. The Task Force coordinates across the agency on the rulemaking, enforcement, and public awareness needs regarding privacy and data protection activities, including data breaches. SIM swapping scams and port-out fraud are serious consumer privacy and data protection threats. In addition, data breaches can increase the risk posed by these scams by exposing consumers' information that can make it easier for scammers to steal consumers cell phone accounts.

Proposed Regulations

The proposed Report and Order would revise the FCC's Customer Proprietary Network Information (CPNI) and Local Number Portability rules to require wireless providers to adopt secure methods of authenticating a customer before redirecting a customer's phone number to a new device or provider. It would also require wireless providers to immediately notify customers whenever a SIM change or port-out request is made on customers' accounts, and take additional steps to protect customers from SIM swap and port-out fraud. These new rules

would set baseline requirements that establish a uniform framework across the mobile wireless industry while giving wireless providers the flexibility to deliver the most advanced and appropriate fraud protection measures available. The proposal also includes a Further Notice of Proposed Rulemaking which, if adopted, will seek comment on ways to further harmonize these rules with existing CPNI rules and additional steps the Commission can take to harmonize government efforts to address SIM swap and port-out fraud.

What Is SIM Swapping?

SIM swapping takes place when a bad actor convinces a victim's wireless carrier to transfer the victim's service from the victim's cell phone to a cell phone in the bad actor's possession. More information for consumers about these scams is available at: <https://go.usa.gov/xMNUF>.

What Is Port-Out Fraud?

Port-out fraud takes place when the bad actor, posing as the victim, opens an account with a carrier other than the victim's current carrier. The bad actor then arranges for the victim's phone number to be transferred to (or "ported out") to the account with the new carrier controlled by the bad actor. An FCC consumer guide on guarding against this type of fraud is available at: <https://go.usa.gov/xMNUH>.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).