

# ***In the House of Representatives, U. S.,***

*December 4, 2019.*

*Resolved, That the bill from the Senate (S. 151) entitled “An Act to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.”, do pass with the following*

## **AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Pallone-Thune Tele-*  
3 *phone Robocall Abuse Criminal Enforcement and Deter-*  
4 *rence Act” or the “Pallone-Thune TRACED Act”.*

5 ***SEC. 2. COMMISSION DEFINED.***

6 *In this Act, the term “Commission” means the Federal*  
7 *Communications Commission.*

8 ***SEC. 3. FORFEITURE.***

9 *(a) IN GENERAL.—Section 227 of the Communications*  
10 *Act of 1934 (47 U.S.C. 227) is amended—*

11 *(1) in subsection (b), by adding at the end the*  
12 *following:*

13 *“(4) CIVIL FORFEITURE.—*

14 *“(A) IN GENERAL.—Any person that is de-*  
15 *termined by the Commission, in accordance with*

1 paragraph (3) or (4) of section 503(b), to have  
2 violated this subsection shall be liable to the  
3 United States for a forfeiture penalty pursuant  
4 to section 503(b)(1). Paragraph (5) of section  
5 503(b) shall not apply in the case of a violation  
6 of this subsection. A forfeiture penalty under this  
7 subparagraph shall be in addition to any other  
8 penalty provided for by this Act. The amount of  
9 the forfeiture penalty determined under this sub-  
10 paragraph shall be determined in accordance  
11 with subparagraphs (A) through (F) of section  
12 503(b)(2).

13 “(B) VIOLATION WITH INTENT.—Any per-  
14 son that is determined by the Commission, in ac-  
15 cordance with paragraph (3) or (4) of section  
16 503(b), to have violated this subsection with the  
17 intent to cause such violation shall be liable to  
18 the United States for a forfeiture penalty pursu-  
19 ant to section 503(b)(1). Paragraph (5) of sec-  
20 tion 503(b) shall not apply in the case of a vio-  
21 lation of this subsection. A forfeiture penalty  
22 under this subparagraph shall be in addition to  
23 any other penalty provided for by this Act. The  
24 amount of the forfeiture penalty determined  
25 under this subparagraph shall be equal to an

1           *amount determined in accordance with subpara-*  
2           *graphs (A) through (F) of section 503(b)(2) plus*  
3           *an additional penalty not to exceed \$10,000.*

4           “(C) *RECOVERY.*—*Any forfeiture penalty*  
5           *determined under subparagraph (A) or (B) shall*  
6           *be recoverable under section 504(a).*

7           “(D) *PROCEDURE.*—*No forfeiture liability*  
8           *shall be determined under subparagraph (A) or*  
9           *(B) against any person unless such person re-*  
10          *ceives the notice required by section 503(b)(3) or*  
11          *section 503(b)(4).*

12          “(E) *STATUTE OF LIMITATIONS.*—*Notwith-*  
13          *standing paragraph (6) of section 503(b), no for-*  
14          *feiture penalty shall be determined or imposed*  
15          *against any person—*

16                 “(i) *under subparagraph (A) if the vio-*  
17                 *lation charged occurred more than 1 year*  
18                 *prior to the date of issuance of the required*  
19                 *notice or notice of apparent liability; or*

20                 “(ii) *under subparagraph (B) if the*  
21                 *violation charged occurred more than 4*  
22                 *years prior to the date of issuance of the re-*  
23                 *quired notice or notice of apparent liability.*

24          “(F) *RULE OF CONSTRUCTION.*—*Notwith-*  
25          *standing any law to the contrary, the Commis-*

1            *sion may not determine or impose a forfeiture*  
 2            *penalty on a person under both subparagraphs*  
 3            *(A) and (B) based on the same conduct.”;*

4            *(2) in subsection (e)(5)(A)—*

5                    *(A) in clause (ii), by adding at the end the*  
 6            *following: “Paragraph (5) of section 503(b) shall*  
 7            *not apply in the case of a violation of this sub-*  
 8            *section.”; and*

9                    *(B) in clause (iv)—*

10                    *(i) in the heading, by striking “2-*  
 11                    *YEAR” and inserting “4-YEAR”; and*

12                    *(ii) by striking “2 years” and insert-*  
 13                    *ing “4 years”; and*

14                    *(3) by striking subsection (h) and inserting the*  
 15            *following:*

16            *“(h) ANNUAL REPORT TO CONGRESS ON ROBOCALLS*  
 17            *AND TRANSMISSION OF MISLEADING OR INACCURATE CALL-*  
 18            *ER IDENTIFICATION INFORMATION.—*

19                    *“(1) REPORT REQUIRED.—Not later than 1 year*  
 20            *after the date of the enactment of this subsection, and*  
 21            *annually thereafter, the Commission, after consulta-*  
 22            *tion with the Federal Trade Commission, shall submit*  
 23            *to Congress a report regarding enforcement by the*  
 24            *Commission of subsections (b), (c), (d), and (e) dur-*  
 25            *ing the preceding calendar year.*

1           “(2) *MATTERS FOR INCLUSION.*—*Each report re-*  
2           *quired by paragraph (1) shall include the following:*

3           “(A) *The number of complaints received by*  
4           *the Commission during each of the preceding 5*  
5           *calendar years, for each of the following cat-*  
6           *egories:*

7           “(i) *Complaints alleging that a con-*  
8           *sumer received a call in violation of sub-*  
9           *section (b) or (c).*

10          “(ii) *Complaints alleging that a con-*  
11          *sumer received a call in violation of the*  
12          *standards prescribed under subsection (d).*

13          “(iii) *Complaints alleging that a con-*  
14          *sumer received a call in connection with*  
15          *which misleading or inaccurate caller iden-*  
16          *tification information was transmitted in*  
17          *violation of subsection (e).*

18          “(B) *The number of citations issued by the*  
19          *Commission pursuant to section 503(b) during*  
20          *the preceding calendar year to enforce subsection*  
21          *(d), and details of each such citation.*

22          “(C) *The number of notices of apparent li-*  
23          *ability issued by the Commission pursuant to*  
24          *section 503(b) during the preceding calendar*  
25          *year to enforce subsections (b), (c), (d), and (e),*

1           *and details of each such notice including any*  
2           *proposed forfeiture amount.*

3           “(D) *The number of final orders imposing*  
4           *forfeiture penalties issued pursuant to section*  
5           *503(b) during the preceding calendar year to en-*  
6           *force such subsections, and details of each such*  
7           *order including the forfeiture imposed.*

8           “(E) *The amount of forfeiture penalties or*  
9           *criminal fines collected, during the preceding*  
10          *calendar year, by the Commission or the Attor-*  
11          *ney General for violations of such subsections,*  
12          *and details of each case in which such a for-*  
13          *feiture penalty or criminal fine was collected.*

14          “(F) *Proposals for reducing the number of*  
15          *calls made in violation of such subsections.*

16          “(G) *An analysis of the contribution by*  
17          *providers of interconnected VoIP service and*  
18          *non-interconnected VoIP service that discount*  
19          *high-volume, unlawful, short-duration calls to*  
20          *the total number of calls made in violation of*  
21          *such subsections, and recommendations on how*  
22          *to address such contribution in order to decrease*  
23          *the total number of calls made in violation of*  
24          *such subsections.*

1           “(3) *NO ADDITIONAL REPORTING REQUIRED.*—  
 2           *The Commission shall prepare the report required by*  
 3           *paragraph (1) without requiring the provision of ad-*  
 4           *ditional information from providers of telecommuni-*  
 5           *cations service or voice service (as defined in section*  
 6           *4(a) of the Pallone-Thune TRACED Act).’’.*

7           **(b) *APPLICABILITY.***—*The amendments made by this*  
 8           *section shall not affect any action or proceeding commenced*  
 9           *before and pending on the date of the enactment of this Act.*

10          **(c) *DEADLINE FOR REGULATIONS.***—*The Commission*  
 11          *shall prescribe regulations to implement the amendments*  
 12          *made by this section not later than 270 days after the date*  
 13          *of the enactment of this Act.*

14          **SEC. 4. CALL AUTHENTICATION.**

15          **(a) *DEFINITIONS.***—*In this section:*

16                  **(1) *STIR/SHAKEN AUTHENTICATION FRAME-***  
 17                  ***WORK.***—*The term “STIR/SHAKEN authentication*  
 18                  *framework” means the secure telephone identity revis-*  
 19                  *ited and signature-based handling of asserted infor-*  
 20                  *mation using tokens standards proposed by the infor-*  
 21                  *mation and communications technology industry.*

22                  **(2) *VOICE SERVICE.***—*The term “voice service”—*  
 23                  **(A)** *means any service that is inter-*  
 24                  *connected with the public switched telephone net-*  
 25                  *work and that furnishes voice communications to*

1           *an end user using resources from the North*  
2           *American Numbering Plan or any successor to*  
3           *the North American Numbering Plan adopted by*  
4           *the Commission under section 251(e)(1) of the*  
5           *Communications Act of 1934 (47 U.S.C.*  
6           *251(e)(1)); and*

7           *(B) includes—*

8                   *(i) transmissions from a telephone fac-*  
9                   *simile machine, computer, or other device to*  
10                   *a telephone facsimile machine; and*

11                   *(ii) without limitation, any service*  
12                   *that enables real-time, two-way voice com-*  
13                   *munications, including any service that re-*  
14                   *quires internet protocol-compatible customer*  
15                   *premises equipment (commonly known as*  
16                   *“CPE”) and permits out-bound calling,*  
17                   *whether or not the service is one-way or*  
18                   *two-way voice over internet protocol.*

19           ***(b) AUTHENTICATION FRAMEWORKS.—***

20                   ***(1) IN GENERAL.—****Subject to paragraphs (2) and*  
21                   ***(3), and in accordance with paragraph (6), not later***  
22                   ***than 18 months after the date of the enactment of this***  
23                   ***Act, the Commission shall—***

24                           ***(A) require a provider of voice service to***  
25                           ***implement the STIR/SHAKEN authentication***



1           *framework in the internet protocol networks of*  
2           *the provider of voice service; and*

3                     *(B) require a provider of voice service to*  
4           *take reasonable measures to implement an effec-*  
5           *tive call authentication framework in the non-*  
6           *internet protocol networks of the provider of*  
7           *voice service.*

8           (2) *IMPLEMENTATION.*—*The Commission shall*  
9           *not take the action described in paragraph (1) with*  
10          *respect to a provider of voice service if the Commis-*  
11          *sion determines, not later than 12 months after the*  
12          *date of the enactment of this Act, that such provider*  
13          *of voice service—*

14                     *(A) in internet protocol networks—*

15                             *(i) has adopted the STIR/SHAKEN*  
16                     *authentication framework for calls on the*  
17                     *internet protocol networks of the provider of*  
18                     *voice service;*

19                             *(ii) has agreed voluntarily to partici-*  
20                     *pate with other providers of voice service in*  
21                     *the STIR/SHAKEN authentication frame-*  
22                     *work;*

23                             *(iii) has begun to implement the STIR/*  
24                     *SHAKEN authentication framework; and*

1           (iv) will be capable of fully imple-  
2           menting the STIR/SHAKEN authentication  
3           framework not later than 18 months after  
4           the date of the enactment of this Act; and  
5           (B) in non-internet protocol networks—

6           (i) has taken reasonable measures to  
7           implement an effective call authentication  
8           framework; and

9           (ii) will be capable of fully imple-  
10          menting an effective call authentication  
11          framework not later than 18 months after  
12          the date of the enactment of this Act.

13          (3) *IMPLEMENTATION REPORT.*—Not later than  
14          12 months after the date of the enactment of this Act,  
15          the Commission shall submit to the Committee on En-  
16          ergy and Commerce of the House of Representatives  
17          and the Committee on Commerce, Science, and Trans-  
18          portation of the Senate a report on the determination  
19          required under paragraph (2), which shall include—

20               (A) an analysis of the extent to which pro-  
21               viders of voice service have implemented the call  
22               authentication frameworks described in subpara-  
23               graphs (A) and (B) of paragraph (1), including  
24               whether the availability of necessary equipment

1           *and equipment upgrades has impacted such im-*  
2           *plementation; and*

3                   *(B) an assessment of the efficacy of the call*  
4           *authentication frameworks described in subpara-*  
5           *graphs (A) and (B) of paragraph (1) in address-*  
6           *ing all aspects of call authentication.*

7           (4) *REVIEW AND REVISION OR REPLACEMENT.—*  
8           *Not later than 3 years after the date of the enactment*  
9           *of this Act, and every 3 years thereafter, the Commis-*  
10          *sion, after public notice and an opportunity for com-*  
11          *ment, shall—*

12                   *(A) assess the efficacy of the technologies*  
13          *used for call authentication frameworks imple-*  
14          *mented under this section;*

15                   *(B) based on the assessment under subpara-*  
16          *graph (A), revise or replace the call authentica-*  
17          *tion frameworks under this section if the Com-*  
18          *mission determines it is in the public interest to*  
19          *do so; and*

20                   *(C) submit to the Committee on Energy and*  
21          *Commerce of the House of Representatives and*  
22          *the Committee on Commerce, Science, and*  
23          *Transportation of the Senate a report on the*  
24          *findings of the assessment under subparagraph*  
25          *(A) and on any actions to revise or replace the*

1           *call authentication frameworks under subpara-*  
2           *graph (B).*

3           (5) *EXTENSION OF IMPLEMENTATION DEAD-*  
4           *LINE.—*

5                   (A) *BURDENS AND BARRIERS TO IMPLE-*  
6           *MENTATION.—Not later than 12 months after the*  
7           *date of the enactment of this Act, and as appro-*  
8           *priate thereafter, the Commission—*

9                           (i) *shall assess any burdens or barriers*  
10                           *to the implementation required by para-*  
11                           *graph (1), including—*

12                                   (I) *for providers of voice service to*  
13                                   *the extent the networks of such pro-*  
14                                   *viders use time-division multiplexing;*

15                                   (II) *for small providers of voice*  
16                                   *service and those in rural areas; and*

17                                   (III) *the inability to purchase or*  
18                                   *upgrade equipment to support the call*  
19                                   *authentication frameworks under this*  
20                                   *section, or lack of availability of such*  
21                                   *equipment; and*

22                                   (ii) *in connection with an assessment*  
23                                   *under clause (i), may, upon a public find-*  
24                                   *ing of undue hardship, delay required com-*  
25                                   *pliance with the 18-month time period de-*

1           scribed in paragraph (1), for a reasonable  
2           period of time, for a provider or class of  
3           providers of voice service, or type of voice  
4           calls, as necessary for that provider or class  
5           of providers or type of calls to participate  
6           in the implementation in order to address  
7           the identified burdens and barriers.

8           (B) *DELAY OF COMPLIANCE REQUIRED FOR*  
9           *CERTAIN NON-INTERNET PROTOCOL NET-*  
10           *WORKS.—Subject to subparagraphs (C) through*  
11           *(F), for any provider or class of providers of*  
12           *voice service, or type of voice calls, only to the*  
13           *extent that such a provider or class of providers*  
14           *of voice service, or type of voice calls, materially*  
15           *relies on a non-internet protocol network for the*  
16           *provision of such service or calls, the Commis-*  
17           *sion shall grant a delay of required compliance*  
18           *under subparagraph (A)(ii) until a call authen-*  
19           *tication protocol has been developed for calls de-*  
20           *livered over non-internet protocol networks and*  
21           *is reasonably available.*

22           (C) *ROBOCALL MITIGATION PROGRAM.—*

23           (i) *PROGRAM REQUIRED.—During the*  
24           *time of a delay of compliance granted under*  
25           *subparagraph (A)(ii), the Commission shall*

1           *require, pursuant to the authority of the*  
2           *Commission, that any provider subject to*  
3           *such delay shall implement an appropriate*  
4           *robocall mitigation program to prevent un-*  
5           *lawful robocalls from originating on the*  
6           *network of the provider.*

7           *(ii) ADDITIONAL REQUIREMENTS.—If*  
8           *the consortium registered under section*  
9           *13(d) identifies a provider of voice service*  
10           *that is subject to a delay of compliance*  
11           *granted under subparagraph (A)(ii) as re-*  
12           *peatedly originating large-scale unlawful*  
13           *robocall campaigns, the Commission shall*  
14           *require such provider to take action to en-*  
15           *sure that such provider does not continue to*  
16           *originate such calls.*

17           *(iii) MINIMIZATION OF BURDEN.—The*  
18           *Commission shall make reasonable efforts to*  
19           *minimize the burden of any robocall miti-*  
20           *gation required pursuant to clause (ii),*  
21           *which may include prescribing certain spe-*  
22           *cific robocall mitigation practices for pro-*  
23           *viders of voice service that have repeatedly*  
24           *originated large-scale unlawful robocall*  
25           *campaigns.*

1           (D) *FULL PARTICIPATION.*—*The Commis-*  
2           *sion shall take reasonable measures to address*  
3           *any issues in an assessment under subparagraph*  
4           *(A)(i) and enable as promptly as reasonable full*  
5           *participation of all classes of providers of voice*  
6           *service and types of voice calls to receive the*  
7           *highest level of trust. Such measures shall in-*  
8           *clude, without limitation, as appropriate, lim-*  
9           *iting or terminating a delay of compliance*  
10           *granted to a provider under subparagraph (B) if*  
11           *the Commission determines in such assessment*  
12           *that the provider is not making reasonable efforts*  
13           *to develop the call authentication protocol de-*  
14           *scribed in such subparagraph.*

15           (E) *ALTERNATIVE METHODOLOGIES.*—*The*  
16           *Commission shall identify, in consultation with*  
17           *small providers of voice service and those in*  
18           *rural areas, alternative effective methodologies to*  
19           *protect customers from unauthenticated calls*  
20           *during any delay of compliance granted under*  
21           *subparagraph (A)(i).*

22           (F) *REVISION OF DELAY OF COMPLIANCE.*—  
23           *Not less frequently than annually after the first*  
24           *delay of compliance is granted under subpara-*  
25           *graph (A)(i), the Commission—*

1           (i) shall consider revising or extending  
2           any delay of compliance granted under sub-  
3           paragraph (A)(ii);

4           (ii) may revise such delay of compli-  
5           ance; and

6           (iii) shall issue a public notice with re-  
7           gard to whether such delay of compliance  
8           remains necessary, including—

9                   (I) why such delay of compliance  
10                   remains necessary; and

11                   (II) when the Commission expects  
12                   to achieve the goal of full participation  
13                   as described in subparagraph (D).

14           (6) *NO ADDITIONAL COST TO CONSUMERS OR*  
15           *SMALL BUSINESS CUSTOMERS.*—The Commission  
16           shall prohibit providers of voice service from adding  
17           any additional line item charges to consumer or  
18           small business customer subscribers for the effective  
19           call authentication technology required under para-  
20           graph (1).

21           (7) *ACCURATE IDENTIFICATION.*—Not later than  
22           12 months after the date of the enactment of this Act,  
23           the Commission shall issue best practices that pro-  
24           viders of voice service may use as part of the imple-  
25           mentation of effective call authentication frameworks



1        *under paragraph (1) to take steps to ensure the call-*  
2        *ing party is accurately identified.*

3        *(c) SAFE HARBOR AND OTHER REGULATIONS.—*

4            *(1) IN GENERAL.—Consistent with the regula-*  
5        *tions prescribed under subsection (j) of section 227 of*  
6        *the Communications Act of 1934 (47 U.S.C. 227), as*  
7        *added by section 10, the Commission shall, not later*  
8        *than 1 year after the date of the enactment of this*  
9        *Act, promulgate rules—*

10            *(A) establishing when a provider of voice*  
11        *service may block a voice call based, in whole or*  
12        *in part, on information provided by the call au-*  
13        *thentication frameworks under subsection (b),*  
14        *with no additional line item charge;*

15            *(B) establishing a safe harbor for a provider*  
16        *of voice service from liability for unintended or*  
17        *inadvertent blocking of calls or for the unin-*  
18        *tended or inadvertent misidentification of the*  
19        *level of trust for individual calls based, in whole*  
20        *or in part, on information provided by the call*  
21        *authentication frameworks under subsection (b);*

22            *(C) establishing a process to permit a call-*  
23        *ing party adversely affected by the information*  
24        *provided by the call authentication frameworks*

1           *under subsection (b) to verify the authenticity of*  
2           *the calling party’s calls; and*

3                     *(D) ensuring that calls originating from a*  
4           *provider of voice service in an area where the*  
5           *provider is subject to a delay of compliance with*  
6           *the time period described in subsection (b)(1) are*  
7           *not unreasonably blocked because the calls are*  
8           *not able to be authenticated.*

9           (2) *CONSIDERATIONS.—In establishing the safe*  
10          *harbor under paragraph (1), consistent with the regu-*  
11          *lations prescribed under subsection (j) of section 227*  
12          *of the Communications Act of 1934 (47 U.S.C. 227),*  
13          *as added by section 10, the Commission shall consider*  
14          *limiting the liability of a provider of voice service*  
15          *based on the extent to which the provider of voice*  
16          *service—*

17                     *(A) blocks or identifies calls based, in whole*  
18           *or in part, on the information provided by the*  
19           *call authentication frameworks under subsection*  
20           *(b);*

21                     *(B) implemented procedures based, in whole*  
22           *or in part, on the information provided by the*  
23           *call authentication frameworks under subsection*  
24           *(b); and*

1           (C) used reasonable care, including making  
2           all reasonable efforts to avoid blocking emergency  
3           public safety calls.

4           (d) *RULE OF CONSTRUCTION.*—Nothing in this section  
5 shall preclude the Commission from initiating a rule-  
6 making pursuant to its existing statutory authority.

7 **SEC. 5. INTERAGENCY WORKING GROUP.**

8           (a) *IN GENERAL.*—The Attorney General, in consulta-  
9 tion with the Chairman of the Commission, shall convene  
10 an interagency working group to study Government pros-  
11 ecution of violations of section 227(b) of the Communica-  
12 tions Act of 1934 (47 U.S.C. 227(b)).

13           (b) *DUTIES.*—In carrying out the study under sub-  
14 section (a), the interagency working group shall—

15           (1) determine whether, and if so how, any Fed-  
16 eral laws, including regulations, policies, and prac-  
17 tices, or budgetary or jurisdictional constraints in-  
18 hibit the prosecution of such violations;

19           (2) identify existing and potential Federal poli-  
20 cies and programs that encourage and improve co-  
21 ordination among Federal departments and agencies  
22 and States, and between States, in the prevention and  
23 prosecution of such violations;

24           (3) identify existing and potential international  
25 policies and programs that encourage and improve

1       *coordination between countries in the prevention and*  
2       *prosecution of such violations; and*

3           (4) *consider—*

4               (A) *the benefit and potential sources of ad-*  
5               *ditional resources for the Federal prevention and*  
6               *prosecution of criminal violations of that section;*

7               (B) *whether to establish memoranda of un-*  
8               *derstanding regarding the prevention and pros-*  
9               *ecution of such violations between—*

10                   (i) *the States;*

11                   (ii) *the States and the Federal Govern-*  
12                   *ment; and*

13                   (iii) *the Federal Government and a*  
14                   *foreign government;*

15               (C) *whether to establish a process to allow*  
16               *States to request Federal subpoenas from the*  
17               *Commission;*

18               (D) *whether extending civil enforcement au-*  
19               *thority to the States would assist in the success-*  
20               *ful prevention and prosecution of such violations;*

21               (E) *whether increased forfeiture and im-*  
22               *prisonment penalties are appropriate, such as*  
23               *extending imprisonment for such a violation to*  
24               *a term longer than 2 years;*

1           (F) whether regulation of any entity that  
2 enters into a business arrangement with a com-  
3 mon carrier regulated under title II of the Com-  
4 munications Act of 1934 (47 U.S.C. 201 et seq.)  
5 for the specific purpose of carrying, routing, or  
6 transmitting a call that constitutes such a viola-  
7 tion would assist in the successful prevention  
8 and prosecution of such violations; and

9           (G) the extent to which, if any, Department  
10 of Justice policies to pursue the prosecution of  
11 violations causing economic harm, physical dan-  
12 ger, or erosion of an inhabitant's peace of mind  
13 and sense of security inhibit the prevention or  
14 prosecution of such violations.

15       (c) MEMBERS.—The interagency working group shall  
16 be composed of such representatives of Federal departments  
17 and agencies as the Attorney General considers appropriate,  
18 such as—

19           (1) the Department of Commerce;

20           (2) the Department of State;

21           (3) the Department of Homeland Security;

22           (4) the Commission;

23           (5) the Federal Trade Commission; and

24           (6) the Bureau of Consumer Financial Protec-  
25 tion.

1       (d) *NON-FEDERAL STAKEHOLDERS.*—*In carrying out*  
2 *the study under subsection (a), the interagency working*  
3 *group shall consult with such non-Federal stakeholders as*  
4 *the Attorney General determines have the relevant expertise,*  
5 *including the National Association of Attorneys General.*

6       (e) *REPORT TO CONGRESS.*—*Not later than 270 days*  
7 *after the date of the enactment of this Act, the interagency*  
8 *working group shall submit to the Committee on Energy*  
9 *and Commerce of the House of Representatives and the*  
10 *Committee on Commerce, Science, and Transportation of*  
11 *the Senate a report on the findings of the study under sub-*  
12 *section (a), including—*

13           (1) *any recommendations regarding the preven-*  
14 *tion and prosecution of such violations; and*

15           (2) *a description of what progress, if any, rel-*  
16 *evant Federal departments and agencies have made in*  
17 *implementing the recommendations under paragraph*  
18 *(1).*

19 **SEC. 6. ACCESS TO NUMBER RESOURCES.**

20       (a) *IN GENERAL.*—

21           (1) *EXAMINATION OF FCC POLICIES.*—*Not later*  
22 *than 180 days after the date of the enactment of this*  
23 *Act, the Commission shall commence a proceeding to*  
24 *determine how Commission policies regarding access*  
25 *to number resources, including number resources for*

1 toll-free and non-toll-free telephone numbers, could be  
2 modified, including by establishing registration and  
3 compliance obligations, and requirements that pro-  
4 viders of voice service given access to number re-  
5 sources take sufficient steps to know the identity of  
6 the customers of such providers, to help reduce access  
7 to numbers by potential perpetrators of violations of  
8 section 227(b) of the Communications Act of 1934 (47  
9 U.S.C. 227(b)).

10 (2) *REGULATIONS.*—If the Commission deter-  
11 mines under paragraph (1) that modifying the poli-  
12 cies described in that paragraph could help achieve  
13 the goal described in that paragraph, the Commission  
14 shall prescribe regulations to implement those policy  
15 modifications.

16 (b) *AUTHORITY.*—Any person who knowingly, through  
17 an employee, agent, officer, or otherwise, directly or indi-  
18 rectly, by or through any means or device whatsoever, is  
19 a party to obtaining number resources, including number  
20 resources for toll-free and non-toll-free telephone numbers,  
21 from a common carrier regulated under title II of the Com-  
22 munications Act of 1934 (47 U.S.C. 201 et seq.), in viola-  
23 tion of a regulation prescribed under subsection (a), shall,  
24 notwithstanding section 503(b)(5) of the Communications  
25 Act of 1934 (47 U.S.C. 503(b)(5)), be subject to a forfeiture

1 *penalty under section 503(b) of that Act (47 U.S.C. 503(b)).*  
2 *A forfeiture penalty under this subsection shall be in addi-*  
3 *tion to any other penalty provided for by law.*

4 **SEC. 7. PROTECTIONS FROM SPOOFED CALLS.**

5 *(a) IN GENERAL.—Not later than 1 year after the date*  
6 *of the enactment of this Act, and consistent with the call*  
7 *authentication frameworks under section 4, the Commission*  
8 *shall initiate a rulemaking to help protect a subscriber from*  
9 *receiving unwanted calls or text messages from a caller*  
10 *using an unauthenticated number.*

11 *(b) CONSIDERATIONS.—In promulgating rules under*  
12 *subsection (a), the Commission shall consider—*

13 *(1) the Government Accountability Office report*  
14 *on combating the fraudulent provision of misleading*  
15 *or inaccurate caller identification information re-*  
16 *quired by section 503(c) of division P of the Consoli-*  
17 *dated Appropriations Act, 2018 (Public Law 115–*  
18 *141);*

19 *(2) the best means of ensuring that a subscriber*  
20 *or provider has the ability to block calls from a caller*  
21 *using an unauthenticated North American Numbering*  
22 *Plan number;*

23 *(3) the impact on the privacy of a subscriber*  
24 *from unauthenticated calls;*



1           (4) *the effectiveness in verifying the accuracy of*  
2 *caller identification information; and*

3           (5) *the availability and cost of providing protec-*  
4 *tion from the unwanted calls or text messages de-*  
5 *scribed in subsection (a).*

6 **SEC. 8. CONSUMER PROTECTIONS FOR EXEMPTIONS.**

7           (a) *IN GENERAL.*—Section 227(b)(2) of the Commu-  
8 *nications Act of 1934 (47 U.S.C. 227(b)(2)) is amended—*

9           (1) *in subparagraph (G)(ii), by striking “; and”*  
10 *and inserting a semicolon;*

11           (2) *in subparagraph (H), by striking the period*  
12 *at the end and inserting “; and”; and*

13           (3) *by adding at the end the following:*

14           *“(I) shall ensure that any exemption under*  
15 *subparagraph (B) or (C) contains requirements*  
16 *for calls made in reliance on the exemption with*  
17 *respect to—*

18           *“(i) the classes of parties that may*  
19 *make such calls;*

20           *“(ii) the classes of parties that may be*  
21 *called; and*

22           *“(iii) the number of such calls that a*  
23 *calling party may make to a particular*  
24 *called party.”.*

1       (b) *DEADLINE FOR REGULATIONS.*—*In the case of any*  
2 *exemption issued under subparagraph (B) or (C) of section*  
3 *227(b)(2) of the Communications Act of 1934 (47 U.S.C.*  
4 *227(b)(2)) before the date of the enactment of this Act, the*  
5 *Commission shall, not later than 1 year after such date of*  
6 *enactment, prescribe such regulations, or amend such exist-*  
7 *ing regulations, as necessary to ensure that such exemption*  
8 *contains each requirement described in subparagraph (I)*  
9 *of such section, as added by subsection (a). To the extent*  
10 *such an exemption contains such a requirement before such*  
11 *date of enactment, nothing in this section or the amend-*  
12 *ments made by this section shall be construed to require*  
13 *the Commission to prescribe or amend regulations relating*  
14 *to such requirement.*

15 **SEC. 9. REPORT ON REASSIGNED NUMBER DATABASE.**

16       (a) *REPORT TO CONGRESS.*—*Not later than 1 year*  
17 *after the date of the enactment of this Act, the Commission*  
18 *shall submit to Congress, and make publicly available on*  
19 *the website of the Commission, a report on the status of*  
20 *the efforts of the Commission pursuant to the Second Report*  
21 *and Order in the matter of Advanced Methods to Target*  
22 *and Eliminate Unlawful Robocalls (CG Docket No. 17–59;*  
23 *FCC 18–177; adopted on December 12, 2018).*

1       (b) *CONTENTS.*—*The report required by subsection (a)*  
2 *shall describe the efforts of the Commission, as described in*  
3 *such Second Report and Order, to ensure—*

4           (1) *the establishment of a database of telephone*  
5 *numbers that have been disconnected, in order to pro-*  
6 *vide a person making calls subject to section 227(b)*  
7 *of the Communications Act of 1934 (47 U.S.C.*  
8 *227(b)) with comprehensive and timely information*  
9 *to enable such person to avoid making calls without*  
10 *the prior express consent of the called party because*  
11 *the number called has been reassigned;*

12           (2) *that a person who wishes to use any safe har-*  
13 *bor provided pursuant to such Second Report and*  
14 *Order with respect to making calls must demonstrate*  
15 *that, before making the call, the person appropriately*  
16 *checked the most recent update of the database and*  
17 *the database reported that the number had not been*  
18 *disconnected; and*

19           (3) *that if the person makes the demonstration*  
20 *described in paragraph (2), the person will be shield-*  
21 *ed from liability under section 227(b) of the Commu-*  
22 *nications Act of 1934 (47 U.S.C. 227(b)) should the*  
23 *database return an inaccurate result.*

1 **SEC. 10. STOP ROBOCALLS.**

2 (a) *INFORMATION SHARING REGARDING ROBOCALL*  
 3 *AND SPOOFING VIOLATIONS.*—Section 227 of the Commu-  
 4 *nications Act of 1934 (47 U.S.C. 227) is amended by add-*  
 5 *ing at the end the following:*

6 “(i) *INFORMATION SHARING.*—

7 “(1) *IN GENERAL.*—Not later than 18 months  
 8 *after the date of the enactment of this subsection, the*  
 9 *Commission shall prescribe regulations to establish a*  
 10 *process that streamlines the ways in which a private*  
 11 *entity may voluntarily share with the Commission*  
 12 *information relating to—*

13 “(A) *a call made or a text message sent in*  
 14 *violation of subsection (b); or*

15 “(B) *a call or text message for which mis-*  
 16 *leading or inaccurate caller identification infor-*  
 17 *mation was caused to be transmitted in violation*  
 18 *of subsection (e).*

19 “(2) *TEXT MESSAGE DEFINED.*—*In this sub-*  
 20 *section, the term ‘text message’ has the meaning given*  
 21 *such term in subsection (e)(8).”*

22 (b) *ROBOCALL BLOCKING SERVICE.*—Section 227 of  
 23 *the Communications Act of 1934 (47 U.S.C. 227), as*  
 24 *amended by subsection (a), is further amended by adding*  
 25 *at the end the following:*

26 “(j) *ROBOCALL BLOCKING SERVICE.*—

1           “(1) *IN GENERAL.*—Not later than 1 year after  
2           the date of the enactment of this subsection, the Com-  
3           mission shall take a final agency action to ensure the  
4           robocall blocking services provided on an opt-out or  
5           opt-in basis pursuant to the Declaratory Ruling of  
6           the Commission in the matter of *Advanced Methods to*  
7           *Target and Eliminate Unlawful Robocalls (CG Dock-*  
8           *et No. 17–59; FCC 19–51; adopted on June 6,*  
9           *2019)*—

10                   “(A) are provided with transparency and  
11                   effective redress options for both—

12                           “(i) consumers; and

13                           “(ii) callers; and

14                   “(B) are provided with no additional line  
15                   item charge to consumers and no additional  
16                   charge to callers for resolving complaints related  
17                   to erroneously blocked calls; and

18                   “(C) make all reasonable efforts to avoid  
19                   blocking emergency public safety calls.

20           “(2) *TEXT MESSAGE DEFINED.*—In this sub-  
21           section, the term ‘text message’ has the meaning given  
22           such term in subsection (e)(8).”.

23           (c) *STUDY ON INFORMATION REQUIREMENTS FOR*  
24           *CERTAIN VOIP SERVICE PROVIDERS.*—

1           (1) *IN GENERAL.*—*The Commission shall conduct*  
2 *a study regarding whether to require a provider of*  
3 *covered VoIP service to—*

4                   (A) *provide to the Commission contact in-*  
5 *formation for such provider and keep such infor-*  
6 *mation current; and*

7                   (B) *retain records relating to each call*  
8 *transmitted over the covered VoIP service of such*  
9 *provider that are sufficient to trace such call*  
10 *back to the source of such call.*

11           (2) *REPORT TO CONGRESS.*—*Not later than 18*  
12 *months after the date of the enactment of this Act, the*  
13 *Commission shall submit to Congress a report on the*  
14 *results of the study conducted under paragraph (1).*

15           (3) *COVERED VOIP SERVICE DEFINED.*—*In this*  
16 *subsection, the term “covered VoIP service” means a*  
17 *service that—*

18                   (A) *is an interconnected VoIP service (as*  
19 *defined in section 3 of the Communications Act*  
20 *of 1934 (47 U.S.C. 153)); or*

21                   (B) *would be an interconnected VoIP service*  
22 *(as so defined) except that the service permits*  
23 *users to terminate calls to the public switched*  
24 *telephone network but does not permit users to*

1           *receive calls that originate on the public switched*  
2           *telephone network.*

3           (d) *TRANSITIONAL RULE REGARDING DEFINITION OF*  
4 *TEXT MESSAGE.—Paragraph (2) of subsection (i) of section*  
5 *227 of the Communications Act of 1934 (47 U.S.C. 227),*  
6 *as added by subsection (a) of this section, and paragraph*  
7 *(2) of subsection (j) of such section 227, as added by sub-*  
8 *section (b) of this section, shall apply before the effective*  
9 *date of the amendment made to subsection (e)(8) of such*  
10 *section 227 by subparagraph (C) of section 503(a)(2) of di-*  
11 *vision P of the Consolidated Appropriations Act, 2018*  
12 *(Public Law 115–141) as if such amendment was already*  
13 *in effect.*

14 **SEC. 11. PROVISION OF EVIDENCE OF CERTAIN ROBOCALL**  
15 **VIOLATIONS TO ATTORNEY GENERAL.**

16           (a) *IN GENERAL.—If the Chief of the Enforcement Bu-*  
17 *reau of the Commission obtains evidence that suggests a*  
18 *willful, knowing, and repeated robocall violation with an*  
19 *intent to defraud, cause harm, or wrongfully obtain any-*  
20 *thing of value, the Chief of the Enforcement Bureau shall*  
21 *provide such evidence to the Attorney General.*

22           (b) *REPORT TO CONGRESS.—Not later than 1 year*  
23 *after the date of the enactment of this Act, and annually*  
24 *thereafter, the Commission shall publish on its website and*  
25 *submit to the Committee on Energy and Commerce of the*

1 *House of Representatives and the Committee on Commerce,*  
 2 *Science, and Transportation of the Senate a report that—*

3           (1) *states the number of instances during the*  
 4 *preceding year in which the Chief of the Enforcement*  
 5 *Bureau provided the evidence described in subsection*  
 6 *(a) to the Attorney General; and*

7           (2) *contains a general summary of the types of*  
 8 *robocall violations to which such evidence relates.*

9           (c) *RULES OF CONSTRUCTION.—Nothing in this sec-*  
 10 *tion shall be construed to affect the ability of the Commis-*  
 11 *sion or the Chief of the Enforcement Bureau under other*  
 12 *law—*

13           (1) *to refer a matter to the Attorney General; or*

14           (2) *to pursue or continue pursuit of an enforce-*  
 15 *ment action in a matter with respect to which the*  
 16 *Chief of the Enforcement Bureau provided the evi-*  
 17 *dence described in subsection (a) to the Attorney Gen-*  
 18 *eral.*

19           (d) *ROBOCALL VIOLATION DEFINED.—In this section,*  
 20 *the term “robocall violation” means a violation of sub-*  
 21 *section (b) or (e) of section 227 of the Communications Act*  
 22 *of 1934 (47 U.S.C. 227).*

23 **SEC. 12. PROTECTION FROM ONE-RING SCAMS.**

24           (a) *INITIATION OF PROCEEDING.—Not later than 120*  
 25 *days after the date of the enactment of this Act, the Commis-*



1 *sion shall initiate a proceeding to protect called parties*  
2 *from one-ring scams.*

3 *(b) MATTERS TO BE CONSIDERED.—As part of the*  
4 *proceeding required by subsection (a), the Commission shall*  
5 *consider how the Commission can—*

6 *(1) work with Federal and State law enforce-*  
7 *ment agencies to address one-ring scams;*

8 *(2) work with the governments of foreign coun-*  
9 *tries to address one-ring scams;*

10 *(3) in consultation with the Federal Trade Com-*  
11 *mission, better educate consumers about how to avoid*  
12 *one-ring scams;*

13 *(4) incentivize voice service providers to stop*  
14 *calls made to perpetrate one-ring scams from being*  
15 *received by called parties, including consideration of*  
16 *adding identified one-ring scam type numbers to the*  
17 *Commission’s existing list of permissible categories for*  
18 *carrier-initiated blocking;*

19 *(5) work with entities that provide call-blocking*  
20 *services to address one-ring scams; and*

21 *(6) establish obligations on international gate-*  
22 *way providers that are the first point of entry for*  
23 *these calls into the United States, including potential*  
24 *requirements that such providers verify with the for-*

1        *eign originator the nature or purpose of calls before*  
2        *initiating service.*

3        (c) *REPORT TO CONGRESS.*—*Not later than 1 year*  
4        *after the date of the enactment of this Act, the Commission*  
5        *shall publish on its website and submit to the Committee*  
6        *on Energy and Commerce of the House of Representatives*  
7        *and the Committee on Commerce, Science, and Transpor-*  
8        *tation of the Senate a report on the status of the proceeding*  
9        *required by subsection (a).*

10        (d) *DEFINITIONS.*—*In this section:*

11                (1) *ONE-RING SCAM.*—*The term “one-ring scam”*  
12        *means a scam in which a caller makes a call and al-*  
13        *lows the call to ring the called party for a short dura-*  
14        *tion, in order to prompt the called party to return the*  
15        *call, thereby subjecting the called party to charges.*

16                (2) *STATE.*—*The term “State” has the meaning*  
17        *given such term in section 3 of the Communications*  
18        *Act of 1934 (47 U.S.C. 153).*

19                (3) *VOICE SERVICE.*—*The term “voice service”*  
20        *has the meaning given such term in section 227(e)(8)*  
21        *of the Communications Act of 1934 (47 U.S.C.*  
22        *227(e)(8)). This paragraph shall apply before the ef-*  
23        *fective date of the amendment made to such section by*  
24        *subparagraph (C) of section 503(a)(2) of division P*  
25        *of the Consolidated Appropriations Act, 2018 (Public*

1       *Law 115–141) as if such amendment was already in*  
2       *effect.*

3       **SEC. 13. ANNUAL ROBOCALL REPORT.**

4       *(a) IN GENERAL.—Not later than 1 year after the date*  
5       *of the enactment of this Act, and annually thereafter, the*  
6       *Commission shall make publicly available on the website*  
7       *of the Commission, and submit to the Committee on Energy*  
8       *and Commerce of the House of Representatives and the*  
9       *Committee on Commerce, Science, and Transportation of*  
10       *the Senate, a report on the status of private-led efforts to*  
11       *trace back the origin of suspected unlawful robocalls by the*  
12       *registered consortium and the participation of voice service*  
13       *providers in such efforts.*

14       *(b) CONTENTS OF REPORT.—The report required*  
15       *under subsection (a) shall include, at minimum, the fol-*  
16       *lowing:*

17               *(1) A description of private-led efforts to trace*  
18               *back the origin of suspected unlawful robocalls by the*  
19               *registered consortium and the actions taken by the*  
20               *registered consortium to coordinate with the Commis-*  
21               *sion.*

22               *(2) A list of voice service providers identified by*  
23               *the registered consortium that participated in pri-*  
24               *vate-led efforts to trace back the origin of suspected*  
25               *unlawful robocalls through the registered consortium.*

1           (3) *A list of each voice service provider that re-*  
2           *ceived a request from the registered consortium to*  
3           *participate in private-led efforts to trace back the ori-*  
4           *gin of suspected unlawful robocalls and refused to*  
5           *participate, as identified by the registered consortium.*

6           (4) *The reason, if any, each voice service pro-*  
7           *vider identified by the registered consortium provided*  
8           *for not participating in private-led efforts to trace*  
9           *back the origin of suspected unlawful robocalls.*

10          (5) *A description of how the Commission may*  
11          *use the information provided to the Commission by*  
12          *voice service providers or the registered consortium*  
13          *that have participated in private-led efforts to trace*  
14          *back the origin of suspected unlawful robocalls in the*  
15          *enforcement efforts by the Commission.*

16          (c) *ADDITIONAL INFORMATION.—Not later than 210*  
17          *days after the date of the enactment of this Act, and annu-*  
18          *ally thereafter, the Commission shall issue a notice to the*  
19          *public seeking additional information from voice service*  
20          *providers and the registered consortium of private-led ef-*  
21          *forts to trace back the origin of suspected unlawful robocalls*  
22          *necessary for the report by the Commission required under*  
23          *subsection (a).*

1           (d) *REGISTRATION OF CONSORTIUM OF PRIVATE-LED*  
2 *EFFORTS TO TRACE BACK THE ORIGIN OF SUSPECTED UN-*  
3 *LAWFUL ROBOCALLS.—*

4           (1) *IN GENERAL.—Not later than 90 days after*  
5 *the date of the enactment of this Act, the Commission*  
6 *shall issue rules to establish a registration process for*  
7 *the registration of a single consortium that conducts*  
8 *private-led efforts to trace back the origin of suspected*  
9 *unlawful robocalls. The consortium shall meet the fol-*  
10 *lowing requirements:*

11           (A) *Be a neutral third party competent to*  
12 *manage the private-led effort to trace back the*  
13 *origin of suspected unlawful robocalls in the*  
14 *judgement of the Commission.*

15           (B) *Maintain a set of written best practices*  
16 *about the management of such efforts and re-*  
17 *garding providers of voice services' participation*  
18 *in private-led efforts to trace back the origin of*  
19 *suspected unlawful robocalls.*

20           (C) *Consistent with section 222(d)(2) of the*  
21 *Communications Act of 1934 (47 U.S.C.*  
22 *222(d)(2)), any private-led efforts to trace back*  
23 *the origin of suspected unlawful robocalls con-*  
24 *ducted by the third party focus on “fraudulent,*  
25 *abusive, or unlawful” traffic.*

1                   (D) *File a notice with the Commission that*  
2                   *the consortium intends to conduct private-led ef-*  
3                   *forts to trace back in advance of such registra-*  
4                   *tion.*

5                   (2) *ANNUAL NOTICE BY THE COMMISSION SEEK-*  
6                   *ING REGISTRATIONS.—Not later than 120 days after*  
7                   *the date of the enactment of this Act, and annually*  
8                   *thereafter, the Commission shall issue a notice to the*  
9                   *public seeking the registration described in paragraph*  
10                  *(1).*

11                  (e) *LIST OF VOICE SERVICE PROVIDERS.—The Com-*  
12                  *mission may publish a list of voice service providers and*  
13                  *take appropriate enforcement action based on information*  
14                  *obtained from the consortium about voice service providers*  
15                  *that refuse to participate in private-led efforts to trace back*  
16                  *the origin of suspected unlawful robocalls, and other infor-*  
17                  *mation the Commission may collect about voice service pro-*  
18                  *viders that are found to originate or transmit substantial*  
19                  *amounts of unlawful robocalls.*

20                  (f) *DEFINITIONS.—In this section:*

21                   (1) *PRIVATE-LED EFFORT TO TRACE BACK.—The*  
22                   *term “private-led effort to trace back” means an effort*  
23                   *made by the registered consortium of voice service*  
24                   *providers to establish a methodology for determining*  
25                   *the origin of a suspected unlawful robocall.*

1           (2) *REGISTERED CONSORTIUM.*—The term “reg-  
2           istered consortium” means the consortium registered  
3           under subsection (d).

4           (3) *SUSPECTED UNLAWFUL ROBOCALL.*—The  
5           term “suspected unlawful robocall” means a call that  
6           the Commission or a voice service provider reasonably  
7           believes was made in violation of subsection (b) or (e)  
8           of section 227 of the Communications Act of 1934 (47  
9           U.S.C. 227).

10          (4) *VOICE SERVICE.*—The term “voice service”—

11           (A) means any service that is inter-  
12           connected with the public switched telephone net-  
13           work and that furnishes voice communications to  
14           an end user using resources from the North  
15           American Numbering Plan or any successor to  
16           the North American Numbering Plan adopted by  
17           the Commission under section 251(e)(1) of the  
18           Communications Act of 1934 (47 U.S.C.  
19           251(e)(1)); and

20           (B) includes—

21           (i) transmissions from a telephone fac-  
22           simile machine, computer, or other device to  
23           a telephone facsimile machine; and

24           (ii) without limitation, any service  
25           that enables real-time, two-way voice com-

1                   communications, including any service that re-  
 2                   quires internet protocol-compatible customer  
 3                   premises equipment (commonly known as  
 4                   “CPE”) and permits out-bound calling,  
 5                   whether or not the service is one-way or  
 6                   two-way voice over internet protocol.

7 **SEC. 14. HOSPITAL ROBOCALL PROTECTION GROUP.**

8           (a) *ESTABLISHMENT.*—Not later than 180 days after  
 9 the date of the enactment of this Act, the Commission shall  
 10 establish an advisory committee to be known as the “Hos-  
 11 pital Robocall Protection Group”.

12           (b) *MEMBERSHIP.*—The Group shall be composed only  
 13 of the following members:

14                   (1) An equal number of representatives from  
 15 each of the following:

16                           (A) Voice service providers that serve hos-  
 17 pitals.

18                           (B) Companies that focus on mitigating un-  
 19 lawful robocalls.

20                           (C) Consumer advocacy organizations.

21                           (D) Providers of one-way voice over internet  
 22 protocol services described in subsection  
 23 (e)(3)(B)(ii).

24                           (E) Hospitals.



1                   (F) *State government officials focused on*  
2                   *combating unlawful robocalls.*

3                   (2) *One representative of the Commission.*

4                   (3) *One representative of the Federal Trade*  
5                   *Commission.*

6                   (c) *ISSUANCE OF BEST PRACTICES.—Not later than*  
7                   *180 days after the date on which the Group is established*  
8                   *under subsection (a), the Group shall issue best practices*  
9                   *regarding the following:*

10                   (1) *How voice service providers can better com-*  
11                   *bat unlawful robocalls made to hospitals.*

12                   (2) *How hospitals can better protect themselves*  
13                   *from such calls, including by using unlawful robocall*  
14                   *mitigation techniques.*

15                   (3) *How the Federal Government and State gov-*  
16                   *ernments can help combat such calls.*

17                   (d) *PROCEEDING BY FCC.—Not later than 180 days*  
18                   *after the date on which the best practices are issued by the*  
19                   *Group under subsection (c), the Commission shall conclude*  
20                   *a proceeding to assess the extent to which the voluntary*  
21                   *adoption of such best practices can be facilitated to protect*  
22                   *hospitals and other institutions.*

23                   (e) *DEFINITIONS.—In this section:*

1           (1) *GROUP*.—The term “Group” means the Hos-  
2           pital Robocall Protection Group established under  
3           subsection (a).

4           (2) *STATE*.—The term “State” has the meaning  
5           given such term in section 3 of the Communications  
6           Act of 1934 (47 U.S.C. 153).

7           (3) *VOICE SERVICE*.—The term “voice service”—

8           (A) means any service that is inter-  
9           connected with the public switched telephone net-  
10          work and that furnishes voice communications to  
11          an end user using resources from the North  
12          American Numbering Plan or any successor to  
13          the North American Numbering Plan adopted by  
14          the Commission under section 251(e)(1) of the  
15          Communications Act of 1934 (47 U.S.C.  
16          251(e)(1)); and

17          (B) includes—

18               (i) transmissions from a telephone fac-  
19               simile machine, computer, or other device to  
20               a telephone facsimile machine; and

21               (ii) without limitation, any service  
22               that enables real-time, two-way voice com-  
23               munications, including any service that re-  
24               quires internet protocol-compatible customer  
25               premises equipment (commonly known as

1                   “CPE”) and permits out-bound calling,  
2                   whether or not the service is one-way or  
3                   two-way voice over internet protocol.

4 **SEC. 15. SEPARABILITY CLAUSE.**

5           If any provision of this Act, the amendments made by  
6 this Act, or the application thereof to any person or cir-  
7 cumstance is held invalid, the remainder of this Act, the  
8 amendments made by this Act, and the application of such  
9 provision to other persons or circumstances shall not be af-  
10 fected thereby.

Attest:

Clerk.

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 151**

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**AMENDMENT**