

FCC Adopts Rules for Online Robocall Reporting Portal

Article By:

Paul C. Besozzi

The Federal Communications Commission (FCC) has now adopted rules to implement Section 10(a) of the TRACED Act, which provision directed the agency “to establish regulations to create a process that ‘streamlines the ways in which a private entity may voluntarily share with the Commission information relating to’ a call or text message that violates prohibitions regarding robocalls or spoofing set forth section 227(b) and 227(e) of the Communications Act of 1934, as amended.” Its June 17, 2021 Report and Order is here. <https://docs.fcc.gov/public/attachments/FCC-21-75A1.pdf>

To satisfy the requirement, the FCC’s Report and Order directs the FCC’s “Enforcement Bureau to create and monitor an online portal located on the Commission website. We anticipate that this portal will be particularly useful to private entities experiencing large scale robocall incidents and voice service providers that have network analytic information. This robocall ‘tip’ line will provide a streamlined process for reporting potential violations, and will enable the Enforcement Bureau to respond quickly to disruptive robocalling events.”

In defining the term “private entity,” the FCC excludes “individual natural persons,” noting that “we find that interpreting the term to exclude individual consumers from the definition of private entity is consistent with Congress’s other uses of that term and similar terms.” With that exception, the term includes “any entity other than...a public entity.” A “public entity” is “any governmental organization at the federal, state or local level.”

The new portal will not “affect the process by which a consumer submits an informal complaint about a robocall or a spoofed call, using the long-standing process located on the Commission’s home page.”

Except for rule sections that require approval by the Office of Management and Budget – which relate to collection of information through the portal – the new provisions take effect 30 days after publication in the Federal Register. The FCC’s Enforcement Bureau will announce the effective date of the information collection provisions in a subsequent Federal Register document after OMB review.

© Copyright 2024 Squire Patton Boggs (US) LLP

Source URL: <https://www.natlawreview.com/article/fcc-adopts-rules-online-robocall-reporting-portal>