

119TH CONGRESS
2D SESSION

S. 2666

AN ACT

To direct the Federal Communications Commission to establish a taskforce on unlawful robocalls, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foreign Robocall
3 Elimination Act”.

4 **SEC. 2. INTERAGENCY TASKFORCE ON UNLAWFUL**
5 **ROBOCALLS.**

6 (a) DEFINITIONS.—In this section:

7 (1) COMMISSION.—The term “Commission”
8 means the Federal Communications Commission.

9 (2) CONSORTIUM.—The term “Consortium”
10 means the consortium described in section 13(d) of
11 the Pallone-Thune TRACED Act (Public Law 116–
12 105).

13 (3) FEDERAL AGENCY.—The term “Federal
14 agency” has the meaning given the term “agency”
15 in section 551 of title 5, United States Code.

16 (4) TASKFORCE.—The term “taskforce” means
17 the taskforce on unlawful robocalls established under
18 subsection (b).

19 (5) UNLAWFUL ROBOCALL.—The term “unlaw-
20 ful robocall” means a telephone call made in viola-
21 tion of subsection (b) or (e) of section 227 of the
22 Communications Act of 1934 (47 U.S.C. 227).

23 (b) ESTABLISHMENT.—Not later than 270 days after
24 the date of enactment of this Act, the Commission, after
25 consultation with the Federal Trade Commission and the

1 Attorney General, shall establish a taskforce on unlawful
 2 robocalls.

3 (c) MEMBERSHIP.—

4 (1) IN GENERAL.—The taskforce shall be com-
 5 posed of the following members:

6 (A)(i) A representative of each Federal
 7 agency that the Chairman of the Commission,
 8 in consultation with the Chairman of the Fed-
 9 eral Trade Commission and the Attorney Gen-
 10 eral, considers appropriate.

11 (ii) With respect to each Federal agency
 12 considered under clause (i) to be appropriate,
 13 the Chairman of the Commission shall appoint
 14 a representative of that Federal agency to the
 15 taskforce based on the recommendations of the
 16 head of that Federal agency.

17 (B) Seven representatives of private sector
 18 entities, to be appointed as described in para-
 19 graph (2)—

20 (i) 3 of whom shall be representatives
 21 from private sector entities with expertise
 22 in combating unlawful robocalls, includ-
 23 ing—

24 (I) voice service providers;

25 (II) analytics providers;

1 (III) technologists; and

2 (IV) technology experts;

3 (ii) 1 of whom shall be a representa-
4 tive from the Consortium;

5 (iii) 1 of whom shall be a representa-
6 tive of a marketing business that commu-
7 nicates with consumers by telephone as
8 part of the normal course of business of
9 that marketing business;

10 (iv) 1 of whom shall be a representa-
11 tive of a business or nonprofit organization
12 that communicates with consumers by tele-
13 phone for non-marketing purposes on a
14 regular basis; and

15 (v) 1 of whom shall be a representa-
16 tive of an organization that advocates on
17 behalf of customers and who has relevant
18 experience and expertise in combating un-
19 lawful robocalls.

20 (2) APPOINTMENT OF REPRESENTATIVES OF
21 PRIVATE SECTOR ENTITIES.—

22 (A) IN GENERAL.—Notwithstanding any
23 provision of chapter 10 of title 5, United States
24 Code, the members of the taskforce described in
25 paragraph (1)(B) shall be jointly appointed by

the Chairman of the Commission, the Chairman of the Federal Trade Commission, and the Attorney General.

(B) INABILITY TO REACH AGREEMENT.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), if the Chairman of the Commission, the Chairman of the Federal Trade Commission, and the Attorney General cannot reach agreement regarding an appointment described in subparagraph (A), as determined by the Chairman of the Commission, the Chairman of the Commission shall make that appointment.

(ii) NOTICE OF APPOINTMENTS.—Not later than 48 hours before appointing a member to the taskforce under clause (i), the Chairman of the Commission shall provide notice of the proposed appointment to the commissioners of the Commission.

(iii) REQUEST FOR VOTE.—If, after receiving notice under clause (ii) of a proposed appointment under clause (i), a commissioner of the Commission requests that the proposed appointment be subject to a vote of the Commission, the Chairman of

1 the Commission may not make that ap-
2 pointment unless a majority of the com-
3 missioners of the Commission vote to ap-
4 prove the appointment.

5 (d) REPORT.—

6 (1) IN GENERAL.—The taskforce shall prepare
7 a report on unlawful robocalls, which shall contain
8 recommendations and advice for Federal agencies
9 with jurisdiction relevant to combating unlawful
10 robocalls, and for Congress, regarding the most ef-
11 fective ways to combat unlawful robocalls made into
12 the United States from outside the United States.

13 (2) MATTERS TO BE STUDIED.—In preparing
14 the report required under paragraph (1), the
15 taskforce shall—

16 (A) compare the estimated number of sus-
17 pected unlawful robocalls made within the
18 United States with the estimated number of un-
19 lawful robocalls made into the United States
20 from outside the United States;

21 (B) determine which foreign countries
22 serve as the foreign points of departure for the
23 highest volume of unlawful robocalls made into
24 the United States;

1 (C) determine the magnitude of financial
2 loss and the number of instances of stolen iden-
3 tity that occur within the United States each
4 year as a result of unlawful robocalls made
5 from outside the United States;

6 (D) examine methods for encouraging the
7 adoption of caller identification authentication
8 technology in foreign countries;

9 (E) examine and provide information on
10 options for how countries can collaborate on so-
11 lutions to authenticate and verify international
12 calls, including relevant analytics relating to un-
13 lawful robocalls and technical options that can
14 be used with respect to that authentication and
15 verification;

16 (F) examine how better implementation of
17 technical solutions, such as traceback and caller
18 identification authentication technology in for-
19 eign originating countries, would improve co-
20 ordination between the United States and for-
21 eign countries in combating unlawful robocalls;

22 (G) determine whether—

23 (i) the technical standards commonly
24 known as “STIR/SHAKEN” adequately
25 provide call authentication for unlawful

1 robocalls from foreign originating providers
2 or foreign intermediate providers through
3 gateway providers in the United States;
4 and

5 (ii) it would be desirable to encourage
6 other countries to adopt the standards de-
7 scribed in clause (i);

8 (H) examine ways to provide incentives to
9 foreign countries to cooperate with law enforce-
10 ment efforts in the United States to combat un-
11 lawful robocalls;

12 (I) examine whether any Federal agency,
13 or any other organization, that combats unlaw-
14 ful robocalls needs additional resources in order
15 to more effectively combat unlawful robocalls
16 made into the United States from outside the
17 United States;

18 (J) specifically consider whether the ability
19 of the Attorney General to conduct enforcement
20 activities with respect to unlawful robocalls
21 would be increased through the establishment of
22 an office within the Department of Justice dedi-
23 cated to those enforcement activities;

24 (K) examine how increased criminal pen-
25 alties based on the volume of unlawful robocalls

1 could help prevent unlawful robocalls made into
2 the United States;

3 (L) examine how many enforcement activi-
4 ties the Attorney General has undertaken in the
5 year preceding the date on which the prepara-
6 tion of the report begins, including in response
7 to referrals made by the Commission;

8 (M) specifically determine how the Attor-
9 ney General has pursued forfeiture amounts in
10 enforcement activities with respect to unlawful
11 robocalls;

12 (N) seek input, as appropriate, from tech-
13 nologists and private sector innovators to find
14 solutions for combating unlawful robocalls;

15 (O) identify a list of best practices regard-
16 ing the identification and blocking of unlawful
17 robocalls that telephone service providers and
18 providers of technology solutions can voluntarily
19 implement to improve the effectiveness of miti-
20 gating unlawful robocalls made into the United
21 States from outside the United States;

22 (P) evaluate whether requiring periodic
23 public disclosure, in whole or in part, of the re-
24 sults of trace backs conducted by the Consor-
25 tium would impact the integrity and effective-

ness of the trace back process of the Consortium, including by—

- (i) revealing investigative methods;
- (ii) allowing consumers and businesses to avoid providers with a track record of making unlawful robocalls;
- (iii) exposing proprietary, competitively sensitive, or confidential information of legitimate providers or entities;
- (iv) strengthening accountability and deterrence;
- (v) enabling the initiators of unlawful robocalls to evade detection, adapt tactics, or exploit system vulnerabilities;
- (vi) improving the efforts of voice service providers to block calls that are determined to be unwanted based on reasonable analytics;
- (vii) impeding cooperation with future law enforcement investigations or future consumer protection efforts; or
- (viii) ensuring fairness in the reporting of trace back information; and
- (Q) examine mechanisms for improving compliance with the requirements imposed pur-

1 suant to sections 6 and 7 of the Pallone-Thune
2 TRACED Act (47 U.S.C. 227b–1, 227 note).

3 (3) REPORT TO CONGRESS.—Not later than
4 360 days after the date on which the taskforce is es-
5 tablished under subsection (b), the taskforce shall
6 submit to Congress the report prepared under this
7 subsection.

8 (e) USE OF FUNDS.—Notwithstanding section 1346
9 of title 31, United States Code, funds made available by
10 this or any other Act to the Commission, the Federal
11 Trade Commission, or the Department of Justice may be
12 used by the applicable Federal agency for coordination
13 with, participation in, or recommendations involving the
14 taskforce, as required under this section.

15 (f) TERMINATION.—The taskforce shall terminate on
16 the date that is 90 days after the date on which the
17 taskforce submits to Congress the report prepared under
18 subsection (d), as required under paragraph (3) of that
19 subsection.

20 **SEC. 3. FCC NOTICE PROVISION.**

21 Section 13(d)(2) of the Pallone-Thune TRACED Act
22 (Public Law 116–105) is amended by striking “annually”
23 and inserting “once every 3 years”.

1 **SEC. 4. REGISTERED CONSORTIUM CONDUCTING PRIVATE-**
 2 **LED EFFORTS TO TRACE BACK THE ORIGIN**
 3 **OF SUSPECTED UNLAWFUL ROBOCALLS.**

4 (a) IMMUNITY FOR RECEIVING, SHARING, AND PUB-
 5 LISHING TRACE BACK INFORMATION.—Section 13(d) of
 6 the Pallone-Thune TRACED Act (Public Law 116–105;
 7 133 Stat. 3287) is amended by adding at the end the fol-
 8 lowing:

9 “(3) IMMUNITY FOR RECEIVING, SHARING, AND
 10 PUBLISHING TRACE BACK INFORMATION.—

11 “(A) DEFINITION.—In this paragraph, the
 12 term ‘covered information’—

13 “(i) means information regarding sus-
 14 pected—

15 “(I) fraudulent, abusive, or un-
 16 lawful robocalls;

17 “(II) illegally spoofed calls; and

18 “(III) other illegal calls; and

19 “(ii) includes—

20 “(I) call detail records of calls
 21 described in clause (i);

22 “(II) the names of, and other
 23 identifying information concerning,
 24 the voice service providers that origi-
 25 nated, carried, routed, and trans-

1 mitted calls described in clause (i);
 2 and

3 “(III) information about the enti-
 4 ties that made calls described in
 5 clause (i), including any contact infor-
 6 mation of individuals that such an en-
 7 tity provided to the voice service pro-
 8 vider that originated the call.

9 “(B) TRACE BACK IMMUNITY.—No cause
 10 of action shall lie or be maintained in any court
 11 against the registered consortium for receiving,
 12 sharing, or publishing covered information or
 13 information derived from covered information.”.

14 (b) PUBLICATION OF LIST OF VOICE SERVICE PRO-
 15 VIDERS.—Section 13(e) of the Pallone-Thune TRACED
 16 Act (Public Law 116–105; 133 Stat. 3287) is amended
 17 to read as follows:

18 “(e) LIST OF VOICE SERVICE PROVIDERS.—

19 “(1) PUBLICATION OF LIST.—The Commission,
 20 or the registered consortium in consultation with the
 21 Commission, may publish a list of voice service pro-
 22 viders based on—

23 “(A) information obtained by the consor-
 24 tium about voice service providers that refuse to

1 participate in private-led efforts to trace back
2 the origin of suspected unlawful robocalls; and

3 “(B) other information the Commission or
4 the consortium may collect about voice service
5 providers that are found to originate or trans-
6 mit substantial amounts of unlawful robocalls.

7 “(2) ENFORCEMENT.—The Commission may
8 take enforcement action based on the information
9 described in paragraph (1).”.

10 **SEC. 5. ROBOCALL MITIGATION DATABASE.**

11 (a) DEFINITIONS.—In this section:

12 (1) COMMISSION.—The term “Commission”
13 means the Federal Communications Commission.

14 (2) ROBOCALL MITIGATION DATABASE.—The
15 term “Robocall Mitigation Database” has the mean-
16 ing given the term in section 64.6300 of title 47,
17 Code of Federal Regulations, or any successor regu-
18 lation.

19 (3) UNLAWFUL ROBOCALL.—The term “unlaw-
20 ful robocall” has the meaning given the term in sec-
21 tion 2(a).

22 (b) BOND REQUIREMENT.—

23 (1) IN GENERAL.—The Commission shall issue
24 rules to require that, subject to the other provisions
25 of this section, before a provider may file a certifi-

1 cation to the Robocall Mitigation Database, the pro-
2 vider shall post a bond in an amount that is not
3 more than \$100,000, if the Commission determines
4 that posting such a bond is necessary to preserve the
5 integrity of the Robocall Mitigation Database.

6 (2) EXCEPTED PROVIDERS.—

7 (A) IN GENERAL.—In issuing rules under
8 paragraph (1), the Commission shall establish
9 criteria to exempt a provider from the require-
10 ment to post a bond described in that para-
11 graph if that requirement, as applied to the
12 provider, is not necessary to deter unlawful
13 robocall activity.

14 (B) CONSIDERATIONS.—In establishing
15 criteria under subparagraph (A), the Commis-
16 sion shall require consideration of whether a
17 provider—

18 (i) is registered with the Commission
19 under section 64.1195 of title 47, Code of
20 Federal Regulations (or any successor reg-
21 ulation) and makes contributions under
22 section 254(d) of the Communications Act
23 of 1934 (47 U.S.C. 254(d));

1 (ii) holds a certificate of authority, li-
 2 cense, or registration with a State public
 3 utility commission;

4 (iii) is an issuer, the securities of
 5 which are listed on a national securities ex-
 6 change; and

7 (iv) otherwise presents indicia of being
 8 a bona fide, established communications
 9 service provider, such that requiring the
 10 provider to post a bond under paragraph
 11 (1) would impose unnecessary burdens
 12 without materially improving enforcement
 13 of section 227 of the Communications Act
 14 of 1934 (47 U.S.C. 227).

15 (c) IMPLEMENTATION.—In implementing this sec-
 16 tion, the Commission shall—

17 (1) require the posting of a bond under sub-
 18 section (b)(1) from providers that do not dem-
 19 onstrate—

20 (A) legitimate, ongoing operations;

21 (B) regulatory oversight sufficient to en-
 22 sure accountability; or

23 (C) the ability to pay fines or forfeitures
 24 imposed by the Commission or other govern-
 25 mental enforcement authorities with respect to

1 violations of Federal or State laws or regula-
2 tions;

3 (2) establish categorical exemptions for identifi-
4 able classes of legitimate providers that satisfy the
5 criteria established under subsection (b)(2); and
6 (3) minimize administrative and financial bur-
7 dens on compliant, established, and regulated pro-
8 viders while ensuring effective enforcement of section
9 227 of the Communications Act of 1934 (47 U.S.C.
10 227).

Passed the Senate August 3, 2026.

Attest:

Secretary.

119TH CONGRESS
2D SESSION

S. 2666

AN ACT

To direct the Federal Communications Commission
to establish a taskforce on unlawful robocalls,
and for other purposes.