

CODIFICATION

Section was enacted as part of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, also known as the Pallone-Thune TRACED Act, and not as part of the Communications Act of 1934 which comprises this chapter.

DEFINITION

For definition of “Commission” as used in this section, see section 2 of Pub. L. 116–105, set out as a note under section 227 of this title.

§ 227b–1. Access to number resources**(a) In general****(1) Examination of FCC policies**

Not later than 180 days after December 30, 2019, the Commission shall commence a proceeding to determine how Commission policies regarding access to number resources, including number resources for toll-free and non-toll-free telephone numbers, could be modified, including by establishing registration and compliance obligations, and requirements that providers of voice service given access to number resources take sufficient steps to know the identity of the customers of such providers, to help reduce access to numbers by potential perpetrators of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(2) Regulations

If the Commission determines under paragraph (1) that modifying the policies described in that paragraph could help achieve the goal described in that paragraph, the Commission shall prescribe regulations to implement those policy modifications.

(b) Authority

Any person who knowingly, through an employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, is a party to obtaining number resources, including number resources for toll-free and non-toll-free telephone numbers, from a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), in violation of a regulation prescribed under subsection (a), shall, notwithstanding section 503(b)(5) of the Communications Act of 1934 (47 U.S.C. 503(b)(5)), be subject to a forfeiture penalty under section 503(b) of that Act (47 U.S.C. 503(b)). A forfeiture penalty under this subsection shall be in addition to any other penalty provided for by law.

(Pub. L. 116–105, § 6, Dec. 30, 2019, 133 Stat. 3282.)

REFERENCES IN TEXT

The Communications Act of 1934, referred to in subsec. (b), is act June 19, 1934, ch. 652, 48 Stat. 1064. Title II of the Act is classified generally to this subchapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

CODIFICATION

Section was enacted as part of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, also known as the Pallone-Thune TRACED Act, and not as part of the Communications Act of 1934 which comprises this chapter.

DEFINITION

For definition of “Commission” as used in this section, see section 2 of Pub. L. 116–105, set out as a note under section 227 of this title.

§ 227b–2. Provision of evidence of certain robocall violations to Attorney General**(a) In general**

If the Chief of the Enforcement Bureau of the Commission obtains evidence that suggests a willful, knowing, and repeated robocall violation with an intent to defraud, cause harm, or wrongfully obtain anything of value, the Chief of the Enforcement Bureau shall provide such evidence to the Attorney General.

(b) Report to Congress

Not later than 1 year after December 30, 2019, and annually thereafter, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

- (1) states the number of instances during the preceding year in which the Chief of the Enforcement Bureau provided the evidence described in subsection (a) to the Attorney General; and
- (2) contains a general summary of the types of robocall violations to which such evidence relates.

(c) Rules of construction

Nothing in this section shall be construed to affect the ability of the Commission or the Chief of the Enforcement Bureau under other law—

- (1) to refer a matter to the Attorney General; or
- (2) to pursue or continue pursuit of an enforcement action in a matter with respect to which the Chief of the Enforcement Bureau provided the evidence described in subsection (a) to the Attorney General.

(d) Robocall violation defined

In this section, the term “robocall violation” means a violation of subsection (b) or (e) of section 227 of this title.

(Pub. L. 116–105, § 11, Dec. 30, 2019, 133 Stat. 3285.)

CODIFICATION

Section was enacted as part of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, also known as the Pallone-Thune TRACED Act, and not as part of the Communications Act of 1934 which comprises this chapter.

DEFINITION

For definition of “Commission” as used in this section, see section 2 of Pub. L. 116–105, set out as a note under section 227 of this title.

§ 228. Regulation of carrier offering of pay-per-call services**(a) Purpose**

It is the purpose of this section—

- (1) to put into effect a system of national regulation and review that will oversee interstate pay-per-call services; and
- (2) to recognize the Commission’s authority to prescribe regulations and enforcement pro-