

the call authentication frameworks under subsection (b), with no additional line item charge;

(B) establishing a safe harbor for a provider of voice service from liability for unintended or inadvertent blocking of calls or for the unintended or inadvertent misidentification of the level of trust for individual calls based, in whole or in part, on information provided by the call authentication frameworks under subsection (b);

(C) establishing a process to permit a calling party adversely affected by the information provided by the call authentication frameworks under subsection (b) to verify the authenticity of the calling party's calls; and

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

(2) Considerations

In establishing the safe harbor under paragraph (1), consistent with the regulations prescribed under subsection (j) of section 227 of this title, as added by section 10, the Commission shall consider limiting the liability of a provider of voice service based on the extent to which the provider of voice service—

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

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

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

(d) Rule of construction

Nothing in this section shall preclude the Commission from initiating a rulemaking pursuant to its existing statutory authority.

(Pub. L. 116-105, § 4, Dec. 30, 2019, 133 Stat. 3276.)

Editorial Notes

REFERENCES IN TEXT

Section 13, referred to in subsec. (b)(5)(C)(ii), is section 13 of Pub. L. 116-105, which is set out as a note under section 227 of this title.

Section 10, referred to in subsec. (c), means section 10 of Pub. L. 116-105.

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.

Statutory Notes and Related Subsidiaries

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.)

Editorial Notes

REFERENCES IN TEXT

The Communications Act of 1934, referred to in subsection (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.

Statutory Notes and Related Subsidiaries

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