

Calendar No. 422

119TH CONGRESS
2D SESSION**S. 2666****[Report No. 119–122]**

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

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2025

Mr. BUDD (for himself, Mr. WELCH, Mr. HUSTED, and Mr. WARNOCK) intro-
duced the following bill; which was read twice and referred to the Com-
mittee on Commerce, Science, and Transportation

JUNE 1, 2026

Reported by Mr. CRUZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To direct the Federal Communications Commission to estab-
lish 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Robocall
5 Elimination Act”.

1 **SEC. 2. INTERAGENCY TASKFORCE ON UNLAWFUL**
 2 **ROBOCALLS.**

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

4 (1) **COMMISSION.**—The term “Commission”
 5 means the Federal Communications Commission.

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

10 (3) **FEDERAL AGENCY.**—The term “Federal
 11 agency” has the meaning given the term “agency”
 12 in section 551 of title 5, United States Code.

13 (4) **TASKFORCE.**—The term “taskforce” means
 14 the taskforce on unlawful robocalls established under
 15 subsection (b).

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

20 (b) **ESTABLISHMENT.**—Not later than 270 days after
 21 the date of enactment of this Act, the Commission, after
 22 consultation with the Federal Trade Commission and the
 23 Attorney General, shall establish a taskforce on unlawful
 24 robocalls.

25 (c) **MEMBERSHIP.**—

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

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

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

14 ~~(B)~~ Seven representatives of private sector
 15 entities, to be appointed as described in para-
 16 graph ~~(2)~~—

17 ~~(i)~~ 3 of whom shall be representatives
 18 from private sector entities with expertise
 19 in combating unlawful robocalls, includ-
 20 ing—

21 ~~(I)~~ voice service providers;

22 ~~(II)~~ analytics providers;

23 ~~(III)~~ technologists; and

24 ~~(IV)~~ technology experts;

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

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

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

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

18 ~~(2) APPOINTMENT OF REPRESENTATIVES OF~~
 19 ~~PRIVATE SECTOR ENTITIES.—~~

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

1 of the Federal Trade Commission, and the At-
 2 torney General.

3 ~~(B) INABILITY TO REACH AGREEMENT.—~~

4 (i) IN GENERAL.—Subject to clauses
 5 (ii) and (iii), if the Chairman of the Com-
 6 mission, the Chairman of the Federal
 7 Trade Commission, and the Attorney Gen-
 8 eral cannot reach agreement regarding an
 9 appointment described in subparagraph
 10 (A), as determined by the Chairman of the
 11 Commission, the Chairman of the Commis-
 12 sion shall make that appointment.

13 (ii) NOTICE OF APPOINTMENTS.—Not
 14 later than 48 hours before appointing a
 15 member to the taskforce under clause (i),
 16 the Chairman of the Commission shall pro-
 17 vide notice of the proposed appointment to
 18 the commissioners of the Commission.

19 ~~(iii) REQUEST FOR VOTE.—~~

20 (I) IN GENERAL.—Except as pro-
 21 vided in subclause (II), if, after receiv-
 22 ing notice under clause (ii) of a pro-
 23 posed appointment under clause (i),
 24 not fewer than 2 commissioners of the
 25 Commission request that the proposed

1 appointment be subject to a vote of
 2 the Commission; the Chairman of the
 3 Commission may not make that ap-
 4 pointment unless a majority of the
 5 commissioners of the Commission vote
 6 to approve the appointment.

7 (H) INAPPLICABILITY.—Sub-
 8 clause (I) shall have no force or effect
 9 during any period in which there has
 10 been a vacancy with respect to a posi-
 11 tion as commissioner of the Commis-
 12 sion for more than 180 days.

13 (d) REPORT.—

14 (1) IN GENERAL.—The taskforce shall prepare
 15 a report on unlawful robocalls, which shall contain
 16 recommendations and advice for Federal agencies
 17 with jurisdiction relevant to combating unlawful
 18 robocalls, and for Congress, regarding the most ef-
 19 fective ways to combat unlawful robocalls made into
 20 the United States from outside the United States.

21 (2) MATTERS TO BE STUDIED.—In preparing
 22 the report required under paragraph (1), the
 23 taskforce shall—

24 (A) compare the estimated number of sus-
 25 pected unlawful robocalls made within the

1 United States with the estimated number of un-
2 lawful robocalls made into the United States
3 from outside the United States;

4 (B) determine which foreign countries
5 serve as the foreign points of departure for the
6 highest volume of unlawful robocalls made into
7 the United States;

8 (C) determine the magnitude of financial
9 loss and the number of instances of stolen iden-
10 tity that occur within the United States each
11 year as a result of unlawful robocalls made
12 from outside the United States;

13 (D) examine methods for encouraging the
14 adoption of caller identification authentication
15 technology in foreign countries;

16 (E) examine and provide information on
17 options for how countries can collaborate on so-
18 lutions to authenticate and verify international
19 calls, including relevant analytics relating to un-
20 lawful robocalls and technical options that can
21 be used with respect to that authentication and
22 verification;

23 (F) examine how better implementation of
24 technical solutions, such as traceback and caller
25 identification authentication technology in for-

1 eign originating countries, would improve co-
2 ordination between the United States and for-
3 eign countries in combating unlawful robocalls;

4 (G) determine whether—

5 (i) the technical standards commonly
6 known as “STIR/SHAKEN” adequately
7 provide call authentication for unlawful
8 robocalls from foreign originating providers
9 or foreign intermediate providers through
10 gateway providers in the United States;
11 and

12 (ii) it would be desirable to encourage
13 other countries to adopt the standards de-
14 scribed in clause (i);

15 (H) determine if coordination with respect
16 to technologies and incentives to combat unlaw-
17 ful robocalls placed from outside the United
18 States into the United States can help inform
19 strategies to combat potentially fraudulent, or
20 otherwise unlawful, text messages sent from
21 persons outside the United States to persons
22 within the United States;

23 (I) examine ways to provide incentives to
24 foreign countries to cooperate with law enforce-

1 ment efforts in the United States to combat un-
2 lawful robocalls;

3 (J) examine whether any Federal agency,
4 or any other organization, that combats unlaw-
5 ful robocalls needs additional resources in order
6 to more effectively combat unlawful robocalls
7 made into the United States from outside the
8 United States;

9 (K) specifically consider whether the ability
10 of the Attorney General to conduct enforcement
11 activities with respect to unlawful robocalls
12 would be increased through the establishment of
13 an office within the Department of Justice dedi-
14 cated to those enforcement activities;

15 (L) examine how increased criminal pen-
16 alties based on the volume of unlawful robocalls
17 could help prevent unlawful robocalls made into
18 the United States;

19 (M) examine how many enforcement activi-
20 ties the Attorney General has undertaken in the
21 year preceding the date on which the prepara-
22 tion of the report begins, including in response
23 to referrals made by the Commission;

24 (N) specifically determine how the Attor-
25 ney General has pursued forfeiture amounts in

1 enforcement activities with respect to unlawful
2 robocalls;

3 (O) seek input, as appropriate, from tech-
4 nologists and private sector innovators to find
5 solutions for combating unlawful robocalls; and

6 (P) identify a list of best practices regard-
7 ing the identification and blocking of unlawful
8 robocalls that telephone service providers and
9 providers of technology solutions can voluntarily
10 implement to improve the effectiveness of miti-
11 gating unlawful robocalls made into the United
12 States from outside the United States.

13 (3) REPORT TO CONGRESS.—Not later than
14 360 days after the date on which the taskforce is es-
15 tablished under subsection (b), the taskforce shall
16 submit to Congress the report prepared under this
17 subsection.

18 (c) USE OF FUNDS.—Notwithstanding section 1346
19 of title 31, United States Code, funds made available by
20 this or any other Act to the Commission, the Federal
21 Trade Commission, or the Department of Justice may be
22 used by the applicable Federal agency for coordination
23 with, participation in, or recommendations involving the
24 taskforce, as required under this section.

1 (f) ~~TERMINATION.~~—The taskforce shall terminate on
 2 the date that is 90 days after the date on which the
 3 taskforce submits to Congress the report prepared under
 4 subsection (d), as required under paragraph (3) of that
 5 subsection.

6 **SEC. 3. FCC NOTICE PROVISION.**

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

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Foreign Robocall Elimination Act”.*

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 19 *means the consortium described in section 13(d) of the*
 20 *Pallone-Thune TRACED Act (Public Law 116–105).*

21 (3) *FEDERAL AGENCY.*—*The term “Federal agency”*
 22 *has the meaning given the term “agency” in section 551 of title 5, United States Code.*
 23

1 (4) *TASKFORCE.*—*The term “taskforce” means*
 2 *the taskforce on unlawful robocalls established under*
 3 *subsection (b).*

4 (5) *UNLAWFUL ROBOCALL.*—*The term “unlawful*
 5 *robocall” means a telephone call made in violation of*
 6 *subsection (b) or (e) of section 227 of the Communica-*
 7 *tions Act of 1934 (47 U.S.C. 227).*

8 (b) *ESTABLISHMENT.*—*Not later than 270 days after*
 9 *the date of enactment of this Act, the Commission, after con-*
 10 *sultation with the Federal Trade Commission and the At-*
 11 *torney General, shall establish a taskforce on unlawful*
 12 *robocalls.*

13 (c) *MEMBERSHIP.*—

14 (1) *IN GENERAL.*—*The taskforce shall be com-*
 15 *posed of the following members:*

16 (A)(i) *A representative of each Federal*
 17 *agency that the Chairman of the Commission, in*
 18 *consultation with the Chairman of the Federal*
 19 *Trade Commission and the Attorney General,*
 20 *considers appropriate.*

21 (ii) *With respect to each Federal agency*
 22 *considered under clause (i) to be appropriate, the*
 23 *Chairman of the Commission shall appoint a*
 24 *representative of that Federal agency to the*

1 *taskforce based on the recommendations of the*
2 *head of that Federal agency.*

3 *(B) Seven representatives of private sector*
4 *entities, to be appointed as described in para-*
5 *graph (2)—*

6 *(i) 3 of whom shall be representatives*
7 *from private sector entities with expertise in*
8 *combating unlawful robocalls, including—*

9 *(I) voice service providers;*

10 *(II) analytics providers;*

11 *(III) technologists; and*

12 *(IV) technology experts;*

13 *(ii) 1 of whom shall be a representative*
14 *from the Consortium;*

15 *(iii) 1 of whom shall be a representa-*
16 *tive of a marketing business that commu-*
17 *nicates with consumers by telephone as part*
18 *of the normal course of business of that*
19 *marketing business;*

20 *(iv) 1 of whom shall be a representa-*
21 *tive of a business or nonprofit organization*
22 *that communicates with consumers by tele-*
23 *phone for non-marketing purposes on a reg-*
24 *ular basis; and*

1 (v) 1 of whom shall be a representative
 2 of an organization that advocates on behalf
 3 of customers and who has relevant experi-
 4 ence and expertise in combating unlawful
 5 robocalls.

6 (2) *APPOINTMENT OF REPRESENTATIVES OF PRI-*
 7 *VATE SECTOR ENTITIES.*—

8 (A) *IN GENERAL.*—Notwithstanding any
 9 provision of chapter 10 of title 5, United States
 10 Code, the members of the taskforce described in
 11 paragraph (1)(B) shall be jointly appointed by
 12 the Chairman of the Commission, the Chairman
 13 of the Federal Trade Commission, and the Attor-
 14 ney General.

15 (B) *INABILITY TO REACH AGREEMENT.*—

16 (i) *IN GENERAL.*—Subject to clauses
 17 (ii) and (iii), if the Chairman of the Com-
 18 mission, the Chairman of the Federal Trade
 19 Commission, and the Attorney General can-
 20 not reach agreement regarding an appoint-
 21 ment described in subparagraph (A), as de-
 22 termined by the Chairman of the Commis-
 23 sion, the Chairman of the Commission shall
 24 make that appointment.

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

7 (iii) *REQUEST FOR VOTE.*—If, after re-
8 ceiving notice under clause (ii) of a pro-
9 posed appointment under clause (i), a com-
10 missioner of the Commission requests that
11 the proposed appointment be subject to a
12 vote of the Commission, the Chairman of the
13 Commission may not make that appoint-
14 ment unless a majority of the commissioners
15 of the Commission vote to approve the ap-
16 pointment.

17 (d) *REPORT.*—

18 (1) *IN GENERAL.*—The taskforce shall prepare a
19 report on unlawful robocalls, which shall contain rec-
20 ommendations and advice for Federal agencies with
21 jurisdiction relevant to combating unlawful robocalls,
22 and for Congress, regarding the most effective ways to
23 combat unlawful robocalls made into the United
24 States from outside the United States.

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

4 (A) *compare the estimated number of sus-*
5 *pected unlawful robocalls made within the*
6 *United States with the estimated number of un-*
7 *lawful robocalls made into the United States*
8 *from outside the United States;*

9 (B) *determine which foreign countries serve*
10 *as the foreign points of departure for the highest*
11 *volume of unlawful robocalls made into the*
12 *United States;*

13 (C) *determine the magnitude of financial*
14 *loss and the number of instances of stolen iden-*
15 *tity that occur within the United States each*
16 *year as a result of unlawful robocalls made from*
17 *outside the United States;*

18 (D) *examine methods for encouraging the*
19 *adoption of caller identification authentication*
20 *technology in foreign countries;*

21 (E) *examine and provide information on*
22 *options for how countries can collaborate on so-*
23 *lutions to authenticate and verify international*
24 *calls, including relevant analytics relating to un-*
25 *lawful robocalls and technical options that can*

1 *be used with respect to that authentication and*
2 *verification;*

3 *(F) examine how better implementation of*
4 *technical solutions, such as traceback and caller*
5 *identification authentication technology in for-*
6 *foreign originating countries, would improve co-*
7 *ordination between the United States and foreign*
8 *countries in combating unlawful robocalls;*

9 *(G) determine whether—*

10 *(i) the technical standards commonly*
11 *known as “STIR/SHAKEN” adequately*
12 *provide call authentication for unlawful*
13 *robocalls from foreign originating providers*
14 *or foreign intermediate providers through*
15 *gateway providers in the United States; and*

16 *(ii) it would be desirable to encourage*
17 *other countries to adopt the standards de-*
18 *scribed in clause (i);*

19 *(H) examine ways to provide incentives to*
20 *foreign countries to cooperate with law enforce-*
21 *ment efforts in the United States to combat un-*
22 *lawful robocalls;*

23 *(I) examine whether any Federal agency, or*
24 *any other organization, that combats unlawful*
25 *robocalls needs additional resources in order to*

1 *more effectively combat unlawful robocalls made*
2 *into the United States from outside the United*
3 *States;*

4 *(J) specifically consider whether the ability*
5 *of the Attorney General to conduct enforcement*
6 *activities with respect to unlawful robocalls*
7 *would be increased through the establishment of*
8 *an office within the Department of Justice dedi-*
9 *cated to those enforcement activities;*

10 *(K) examine how increased criminal pen-*
11 *alties based on the volume of unlawful robocalls*
12 *could help prevent unlawful robocalls made into*
13 *the United States;*

14 *(L) examine how many enforcement activi-*
15 *ties the Attorney General has undertaken in the*
16 *year preceding the date on which the prepara-*
17 *tion of the report begins, including in response*
18 *to referrals made by the Commission;*

19 *(M) specifically determine how the Attorney*
20 *General has pursued forfeiture amounts in en-*
21 *forcement activities with respect to unlawful*
22 *robocalls;*

23 *(N) seek input, as appropriate, from tech-*
24 *nologists and private sector innovators to find*
25 *solutions for combating unlawful robocalls;*

1 (O) identify a list of best practices regard-
2 ing the identification and blocking of unlawful
3 robocalls that telephone service providers and
4 providers of technology solutions can voluntarily
5 implement to improve the effectiveness of miti-
6 gating unlawful robocalls made into the United
7 States from outside the United States;

8 (P) evaluate whether requiring periodic
9 public disclosure, in whole or in part, of the re-
10 sults of trace backs conducted by the Consortium
11 would impact the integrity and effectiveness of
12 the trace back process of the Consortium, includ-
13 ing by—

14 (i) revealing investigative methods;

15 (ii) allowing consumers and businesses
16 to avoid providers with a track record of
17 making unlawful robocalls;

18 (iii) exposing proprietary, competi-
19 tively sensitive, or confidential information
20 of legitimate providers or entities;

21 (iv) strengthening accountability and
22 deterrence;

23 (v) enabling the initiators of unlawful
24 robocalls to evade detection, adapt tactics,
25 or exploit system vulnerabilities;

1 (vi) improving the efforts of voice serv-
 2 ice providers to block calls that are deter-
 3 mined to be unwanted based on reasonable
 4 analytics;

5 (vii) impeding cooperation with future
 6 law enforcement investigations or future
 7 consumer protection efforts; or

8 (viii) ensuring fairness in the report-
 9 ing of trace back information; and

10 (Q) examine mechanisms for improving
 11 compliance with the requirements imposed pur-
 12 suant to sections 6 and 7 of the Pallone-Thune
 13 TRACED Act (47 U.S.C. 227b–1, 227 note).

14 (3) *REPORT TO CONGRESS.*—Not later than 360
 15 days after the date on which the taskforce is estab-
 16 lished under subsection (b), the taskforce shall submit
 17 to Congress the report prepared under this subsection.

18 (e) *USE OF FUNDS.*—Notwithstanding section 1346 of
 19 title 31, United States Code, funds made available by this
 20 or any other Act to the Commission, the Federal Trade
 21 Commission, or the Department of Justice may be used by
 22 the applicable Federal agency for coordination with, par-
 23 ticipation in, or recommendations involving the taskforce,
 24 as required under this section.

1 (f) *TERMINATION.*—*The taskforce shall terminate on*
 2 *the date that is 90 days after the date on which the taskforce*
 3 *submits to Congress the report prepared under subsection*
 4 *(d), as required under paragraph (3) of that subsection.*

5 **SEC. 3. FCC NOTICE PROVISION.**

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

9 **SEC. 4. REGISTERED CONSORTIUM CONDUCTING PRIVATE-**
 10 **LED EFFORTS TO TRACE BACK THE ORIGIN**
 11 **OF SUSPECTED UNLAWFUL ROBOCALLS.**

12 (a) *IMMUNITY FOR RECEIVING, SHARING, AND PUB-*
 13 *LISHING TRACE BACK INFORMATION.*—*Section 13(d) of the*
 14 *Pallone-Thune TRACED Act (Public Law 116–105; 133*
 15 *Stat. 3287) is amended by adding at the end the following:*

16 “(3) *IMMUNITY FOR RECEIVING, SHARING, AND*
 17 *PUBLISHING TRACE BACK INFORMATION.*—

18 “(A) *DEFINITION.*—*In this paragraph, the*
 19 *term ‘covered information’—*

20 “(i) *means information regarding sus-*
 21 *pected—*

22 “(I) *fraudulent, abusive, or un-*
 23 *lawful robocalls;*

24 “(II) *illegally spoofed calls; and*

25 “(III) *other illegal calls; and*

1 “(ii) includes—

2 “(I) call detail records of calls de-
3 scribed in clause (i);

4 “(II) the names of, and other
5 identifying information concerning, the
6 voice service providers that originated,
7 carried, routed, and transmitted calls
8 described in clause (i); and

9 “(III) information about the enti-
10 ties that made calls described in clause
11 (i), including any contact information
12 of individuals that such an entity pro-
13 vided to the voice service provider that
14 originated the call.

15 “(B) *TRACE BACK IMMUNITY*.—No cause of
16 action shall lie or be maintained in any court
17 against the registered consortium for receiving,
18 sharing, or publishing covered information or in-
19 formation derived from covered information.”.

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

24 “(e) *LIST OF VOICE SERVICE PROVIDERS*.—

1 “(1) *PUBLICATION OF LIST.*—*The Commission,*
 2 *or the registered consortium in consultation with the*
 3 *Commission, may publish a list of voice service pro-*
 4 *viders based on—*

5 “(A) *information obtained by the consor-*
 6 *tium about voice service providers that refuse to*
 7 *participate in private-led efforts to trace back the*
 8 *origin of suspected unlawful robocalls; and*

9 “(B) *other information the Commission or*
 10 *the consortium may collect about voice service*
 11 *providers that are found to originate or transmit*
 12 *substantial amounts of unlawful robocalls.*

13 “(2) *ENFORCEMENT.*—*The Commission may take*
 14 *enforcement action based on the information described*
 15 *in paragraph (1).”.*

16 **SEC. 5. ROBOCALL MITIGATION DATABASE.**

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

18 (1) *COMMISSION.*—*The term “Commission”*
 19 *means the Federal Communications Commission.*

20 (2) *ROBOCALL MITIGATION DATABASE.*—*The*
 21 *term “Robocall Mitigation Database” has the mean-*
 22 *ing given the term in section 64.6300 of title 47, Code*
 23 *of Federal Regulations, or any successor regulation.*

1 (3) *UNLAWFUL ROBOCALL.*—*The term “unlawful*
 2 *robocall” has the meaning given the term in section*
 3 *2(a).*

4 (b) *BOND REQUIREMENT.*—

5 (1) *IN GENERAL.*—*The Commission shall issue*
 6 *rules to require that, subject to the other provisions of*
 7 *this section, before a provider may file a certification*
 8 *to the Robocall Mitigation Database, the provider*
 9 *shall post a bond in an amount that is not more than*
 10 *\$100,000, if the Commission determines that posting*
 11 *such a bond is necessary to preserve the integrity of*
 12 *the Robocall Mitigation Database.*

13 (2) *EXCEPTED PROVIDERS.*—

14 (A) *IN GENERAL.*—*In issuing rules under*
 15 *paragraph (1), the Commission shall establish*
 16 *criteria to exempt a provider from the require-*
 17 *ment to post a bond described in that paragraph*
 18 *if that requirement, as applied to the provider,*
 19 *is not necessary to deter unlawful robocall activ-*
 20 *ity.*

21 (B) *CONSIDERATIONS.*—*In establishing cri-*
 22 *teria under subparagraph (A), the Commission*
 23 *shall require consideration of whether a pro-*
 24 *vider—*

1 (i) is registered with the Commission
 2 under section 64.1195 of title 47, Code of
 3 Federal Regulations (or any successor regu-
 4 lation) and makes contributions under sec-
 5 tion 254(d) of the Communications Act of
 6 1934 (47 U.S.C. 254(d));

7 (ii) holds a certificate of authority, li-
 8 cense, or registration with a State public
 9 utility commission;

10 (iii) is an issuer, the securities of
 11 which are listed on a national securities ex-
 12 change; and

13 (iv) otherwise presents indicia of being
 14 a bona fide, established communications
 15 service provider, such that requiring the
 16 provider to post a bond under paragraph
 17 (1) would impose unnecessary burdens with-
 18 out materially improving enforcement of
 19 section 227 of the Communications Act of
 20 1934 (47 U.S.C. 227).

21 (c) *IMPLEMENTATION.*—In implementing this section,
 22 the Commission shall—

23 (1) require the posting of a bond under sub-
 24 section (b)(1) from providers that do not dem-
 25 onstrate—

1 (A) *legitimate, ongoing operations;*

2 (B) *regulatory oversight sufficient to ensure*
3 *accountability; or*

4 (C) *the ability to pay fines or forfeitures*
5 *imposed by the Commission or other govern-*
6 *mental enforcement authorities with respect to*
7 *violations of Federal or State laws or regula-*
8 *tions;*

9 (2) *establish categorical exemptions for identifi-*
10 *able classes of legitimate providers that satisfy the*
11 *criteria established under subsection (b)(2); and*

12 (3) *minimize administrative and financial bur-*
13 *dens on compliant, established, and regulated pro-*
14 *viders while ensuring effective enforcement of section*
15 *227 of the Communications Act of 1934 (47 U.S.C.*
16 *227).*

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