

**AMENDMENT TO H.R. 3375**  
**OFFERED BY MR. BUTTERFIELD OF NORTH**  
**CAROLINA**

At the end of the bill, add the following new section:

**1 SEC. 10. ANNUAL ROBOCALL REPORT.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of the enactment of this Act, and annually thereafter,  
4 the Commission shall make publicly available on the  
5 website of the Commission, and submit to the Committee  
6 on Energy and Commerce of the House of Representatives  
7 and the Committee on Commerce, Science and Transpor-  
8 tation of the Senate, a report on the status of private-  
9 led efforts to trace back the origin of suspected unlawful  
10 robocalls by the registered consortium and the participa-  
11 tion of voice service providers in such efforts.

12 (b) CONTENTS OF REPORT.—The report required  
13 under subsection (a) shall include, at minimum, the fol-  
14 lowing:

15 (1) A description of private-led efforts to trace  
16 back the origin of suspected unlawful robocalls by  
17 the registered consortium and the actions taken by  
18 the registered consortium to coordinate with the  
19 Commission.

1           (2) A list of voice service providers identified by  
2           the registered consortium that participated in pri-  
3           vate-led efforts to trace back the origin of suspected  
4           unlawful robocalls through the registered consor-  
5           tium.

6           (3) A list of each voice service provider that re-  
7           ceived a request from the registered consortium to  
8           participate in private-led efforts to trace back the or-  
9           igin of suspected unlawful robocalls and refused to  
10          participate, as identified by the registered consor-  
11          tium.

12          (4) The reason, if any, each voice service pro-  
13          vider identified by the registered consortium pro-  
14          vided for not participating in private-led efforts to  
15          trace back the origin of suspected unlawful robocalls.

16          (5) A description of how the Commission may  
17          use the information provided to the Commission by  
18          voice service providers or the registered consortium  
19          that have participated in private-led efforts to trace  
20          back the origin of suspected unlawful robocalls in  
21          the enforcement efforts by the Commission.

22          (c) ADDITIONAL INFORMATION.—Not later than 210  
23          days after the date of the enactment of this Act, and annu-  
24          ally thereafter, the Commission shall issue a notice to the  
25          public seeking additional information from voice service

1 providers and the registered consortium of private-led ef-  
2 forts to trace back the origin of suspected unlawful  
3 robocalls necessary for the report by the Commission re-  
4 quired under subsection (a).

5 (d) REGISTRATION OF CONSORTIUM OF PRIVATE-  
6 LED EFFORTS TO TRACE BACK THE ORIGIN OF SUS-  
7 PECTED UNLAWFUL ROBOCALLS.—

8 (1) IN GENERAL.—Not later than 90 days after  
9 the date of the enactment of this Act, the Commis-  
10 sion shall issue rules to establish a registration proc-  
11 ess for the registration of a single consortium that  
12 conducts private-led efforts to trace back the origin  
13 of suspected unlawful robocalls. The consortium  
14 shall meet the following requirements:

15 (A) Be a neutral third-party competent to  
16 manage the private-led effort to trace back the  
17 origin of suspected unlawful robocalls in the  
18 judgement of the Commission.

19 (B) Maintain a set of written best prac-  
20 tices about the management of such efforts and  
21 regarding providers of voice services' participa-  
22 tion in private-led efforts to trace back the ori-  
23 gin of suspected unlawful robocalls.

24 (C) Consistent with section 222(d)(2) of  
25 the Communications Act of 1934 (47 U.S.C.

1           222(d)(2)), any private-led efforts to trace back  
2           the origin of suspected unlawful robocalls con-  
3           ducted by the third-party focus on “fraudulent,  
4           abusive, or unlawful” traffic.

5           (D) File a notice with the Commission that  
6           the consortium intends to conduct private-led  
7           efforts to trace back in advance of such reg-  
8           istration.

9           (2) ANNUAL NOTICE BY THE COMMISSION  
10          SEEKING REGISTRATIONS.—Not later than 120 days  
11          after the date of the enactment of this Act, and an-  
12          nually thereafter, the Commission shall issue a no-  
13          tice to the public seeking the registration described  
14          in paragraph (1).

15          (e) LIST OF VOICE SERVICE PROVIDERS.—The Com-  
16          mission may publish a list of voice service providers from  
17          which other voice service providers may refuse to accept  
18          calls, based on information obtained from the consortium  
19          about voice service providers that refuse to participate in  
20          private-led efforts to trace back the origin of suspected  
21          unlawful robocalls, and other information the Commission  
22          may collect about service providers that are found to origi-  
23          nate or transmit substantial amounts of illegal calls.

24          (f) DEFINITIONS.—In this section:

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

3           (2) PRIVATE-LED EFFORT TO TRACE BACK.—  
4 The term “private-led effort to trace back” means  
5 an effort made by the registered consortium of voice  
6 service providers to establish a methodology for de-  
7 termining the origin of a suspected unlawful  
8 robocall.

9           (3) REGISTERED CONSORTIUM.—The term  
10 “registered consortium” means the consortium reg-  
11 istered under subsection (d).

12           (4) SUSPECTED UNLAWFUL ROBOCALL.—The  
13 term “suspected unlawful robocall” means a call  
14 that the Commission or a voice service provider rea-  
15 sonably believes was made in violation of subsection  
16 (b) or (e) of section 227 of the Communications Act  
17 of 1934 (47 U.S.C. 227).

18           (5) VOICE SERVICE.—The term “voice serv-  
19 ice”—

20           (A) means any service that is inter-  
21 connected with the public switched telephone  
22 network and that furnishes voice communica-  
23 tions to an end user using resources from the  
24 North American Numbering Plan or any suc-  
25 cessor to the North American Numbering Plan

1           adopted by the Commission under section  
2           251(e)(1) of the Communications Act of 1934  
3           (47 U.S.C. 251(e)(1)); and

4           (B) includes—

5                   (i) transmissions from a telephone  
6                   facsimile machine, computer, or other de-  
7                   vice to a telephone facsimile machine; and

8                   (ii) without limitation, any service  
9                   that enables real-time, two-way voice com-  
10                  munications, including any service that re-  
11                  quires internet protocol-compatible cus-  
12                  tomer premises equipment (commonly  
13                  known as “CPE”) and permits out-bound  
14                  calling, whether or not the service is one-  
15                  way or two-way voice over internet pro-  
16                  tocol.

