

THUNE_1



AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide liability protection for the sharing of information regarding suspected fraudulent, abusive, or unlawful robocalls, illegally spoofed calls, and other illegal calls by the registered consortium that conducts private-led efforts to trace back the origin of suspected unlawful robocalls, and for the receipt of such information by that registered consortium, and for other purposes.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 2666

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. THUNE (for
himself and Mr. MARKEY)

Viz:

- 1 At the end, add the following:
- 2 **SEC. 4. REGISTERED CONSORTIUM CONDUCTING PRIVATE-**
- 3 **LED EFFORTS TO TRACE BACK THE ORIGIN**
- 4 **OF SUSPECTED UNLAWFUL ROBOCALLS.**
- 5 (a) IMMUNITY FOR RECEIVING, SHARING, AND PUB-
- 6 LISHING TRACE BACK INFORMATION.—Section 13(d) of
- 7 the Pallone-Thune TRACED Act (Public Law 116–105;

1 133 Stat. 3287) is amended by adding at the end the fol-
2 lowing:

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

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

7 “(i) means information regarding sus-
8 pected—

9 “(I) fraudulent, abusive, or un-
10 lawful robocalls;

11 “(II) illegally spoofed calls; and

12 “(III) other illegal calls; and

13 “(ii) includes—

14 “(I) call detail records of calls
15 described in clause (i);

16 “(II) the names of, and other
17 identifying information concerning,
18 the voice service providers that origi-
19 nated, carried, routed, and trans-
20 mitted calls described in clause (i);
21 and

22 “(III) information about the enti-
23 ties that made calls described in
24 clause (i), including any contact infor-
25 mation of individuals that such an en-

1 tity provided to the voice service pro-
2 vider that originated the call.

3 “(B) TRACE BACK IMMUNITY.—No cause
4 of action shall lie or be maintained in any court
5 against the registered consortium for receiving,
6 sharing, or publishing covered information or
7 information derived from covered information.”.

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

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

13 “(1) PUBLICATION OF LIST.—The Commission,
14 or the registered consortium in consultation with the
15 Commission, may publish a list of voice service pro-
16 viders based on—

17 “(A) information obtained by the consor-
18 tium about voice service providers that refuse to
19 participate in private-led efforts to trace back
20 the origin of suspected unlawful robocalls; and

21 “(B) other information the Commission or
22 the consortium may collect about voice service
23 providers that are found to originate or trans-
24 mit substantial amounts of unlawful robocalls.

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