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For Immediate Release

**FCC ADOPTS NEW RULES TO CLOSE THE ‘LEAD GENERATOR’
ROBOCALL AND ROBOTEXTS LOOPHOLE AND FACILITATE
BLOCKING OF UNWANTED ROBOTEXTS**

WASHINGTON, December 13, 2023—The Federal Communications Commission today adopted new rules to further protect consumers from scam communications by directly addressing some of the biggest vulnerabilities in America’s robotext defenses and closing the “lead generator” robocall/robotexts loophole. The new rules allow blocking of “red flagged” robotexting numbers, codifies do-not-call rules for texting, and encourages an opt-in approach for delivering email-to-text messages.

Combating Robotext Sources

The new rules allow the FCC to “red flag” certain numbers, requiring mobile carriers to block texts from those numbers. The rules also codify that Do-Not-Call list protections apply to text messaging, making it illegal for marketing texts to be sent to numbers on the registry. And the order encourages providers to make email-to-text messages an opt-in service, which would limit the effectiveness of a major source of unwanted and illegal text messages.

Closing the Lead Generator Loophole

The new rules close a loophole through which unscrupulous robocallers and robotexters inundate consumers with unwanted and illegal robocalls and robotexts. The new rules make it unequivocally clear that comparison shopping websites and lead generators must obtain consumer consent to receive robocalls and robotexts one seller at a time – rather than have a single consent apply to multiple telemarketers at once.

Groundwork for Future Steps

In addition to the rules, the Commission also proposed and will take public comment on additional steps it might take against robotexts. This notice proposes additional blocking requirements when the FCC notifies a provider of a likely scam text-generating number. The Commission will also seek further comment on text message authentication – modeled on the successful implementation of STIR/SHAKEN protocols for phone calls – including on the status of any industry standards in development. The notice also proposes requiring, rather than simply encouraging, providers to make email-to-text services opt-in.

Getting Results:

The [FCC’s Robocall Response Team](#) serves as an FCC staff working group to combat the unyielding menace of illegal spoofed, or scam, robocalls.

- Blocking active robocall scam campaigns by issuing first-of-their-kind actions:
 - 99% drop in auto warranty scam robocalls after an FCC action;
 - 88% month-to-month drop in student loan scam robocalls;
 - Halted predatory mortgage robocalls targeting homeowners nationwide;
- Fining companies record-breaking amounts for illegal robocalls and spoofing;

- Closing gateways used by international robocallers to reach Americans' phones;
- Widespread implementation of STIR/SHAKEN caller ID authentication standards – including applying the requirements to gateway providers;
- Working with industry to traceback illegal calls to their sources;
- Ensuring voice service providers meet FCC robocall mitigation requirements;
- Signing robocall investigation partnerships with [48](#) states, District of Columbia, Guam and international partners;
- Establishing first-of-their-kind regulations targeting scam text messaging; and
- Launching the Robocall Mitigation Database to monitor STIR/SHAKEN compliance.

Action by the Commission December 13, 2023 by Second Report and Order, Second Further Notice of Proposed Rulemaking and Waiver Order (FCC 23-107). Chairwoman Rosenworcel, Commissioners Carr, Starks, and Gomez approving. Commissioner Simington approving in part and dissenting in part. Chairwoman Rosenworcel, Commissioners Starks, Simington, and Gomez issuing separate statements.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).