



441 G St. N.W.
Washington, DC 20548

B-335395

July 5, 2023

The Honorable Maria Cantwell
Chair
The Honorable Ted Cruz
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate

The Honorable Cathy McMorris Rodgers
Chair
The Honorable Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce
House of Representatives

Subject: *Federal Communications Commission: Call Authentication Trust Anchor*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Federal Communications Commission (FCC) entitled "Call Authentication Trust Anchor" (FCC 23-18). We received the rule on March 30, 2023. It was published in the *Federal Register* as a final rule on June 21, 2023. 88 Fed. Reg. 40096. The effective date is August 21, 2023, except for the amendments codified at 47 C.F.R. § 64.6303(c) (amendatory instruction 9) and 64.6305(d), (e), (f), and (g) (amendatory instruction 12) which are delayed. FCC will publish a document in the *Federal Register* announcing the effective dates for the delayed amendments to 47 C.F.R. § 64.6303(c) and 64.6305(d), (e), (f), (g).

According to FCC, the final rule takes steps to combat illegally spoofed robocalls by strengthening and expanding caller ID authentication and robocall mitigation obligations and creating new mechanisms to hold providers accountable for violations of FCC's rules.

Enclosed is our assessment of FCC's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact Shari Brewster, Assistant General Counsel, at (202) 512-6398.

A handwritten signature in black ink that reads "Shirley A. Jones".

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: Zachary Ross
Assistant Division Chief
Competition Policy Division
Federal Communications Commission

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
FEDERAL COMMUNICATIONS COMMISSION
ENTITLED
“CALL AUTHENTICATION TRUST ANCHOR”
(FCC 23-18)

(i) Cost-benefit analysis

The Federal Communications Commission (FCC) estimated the final rule is likely to result in, at a minimum, \$13.5 billion in annual benefits. FCC further estimated the revised and expanded mitigation and Robocall Mitigation Database filing obligations adopted will impose limited short-term implementation costs.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

FCC conducted a Final Regulatory Flexibility Analysis. In the Analysis, FCC discussed: (1) the need for and objectives of the final rule; (2) a summary of the significant issues raised by public comments to the Interim Regulatory Flexibility Analysis; (3) a response to comments made by the Chief Counsel for Advocacy of the Small Business Administration; (4) a description and estimate of the number of small entities to which the final rule applies; (5) a description of projected reporting, recordkeeping, and other compliance requirements for small entities; and (6) steps taken to minimize the significant economic impact on small entities, and significant alternatives considered.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

As an independent regulatory agency, FCC is not subject to the Act.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

FCC published a proposed rule on September 1, 2022. 87 Fed. Reg. 53705. FCC responded to comments in the final rule.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

FCC determined the final rule contained information collection requirements (ICRs) subject to the Act. FCC stated the ICRs are associated with sections 64.6303 and 64.6305 of title 47, Code of Federal Regulations.

Statutory authorization for the rule

FCC promulgated the final rule pursuant to sections 154, 201, 202, 214, 217, 227, 227b, 251, 303, 501, 502, and 503 of title 47, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

As an independent regulatory agency, FCC is not subject to the Order.

Executive Order No. 13132 (Federalism)

As an independent regulatory agency, FCC is not subject to the Order.