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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[WC Docket No. 21-341; FCC 23-95; FR ID 377626]

Protecting Consumers from SIM-Swap and Port-Out Fraud

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective and compliance dates.

SUMMARY: In this document, the Wireline Competition Bureau (Bureau) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's rules adopted in the *SIM Swap and Port-Out Fraud Order*, FCC 23-95. This document is consistent with that *Order*, which stated that the revised rules would not become effective until OMB completed its review of any information collection requirements under the Paperwork Reduction Act and that the Bureau would announce the compliance date for the revised rules by subsequent Public Notice and cause the Commission's rules to be revised accordingly.

DATES: *Effective date:* Amendatory instruction 6 (47 CFR 64.2010(h)(2) through (6) and (8)), published at 88 FR 85794, December 8, 2023, is effective on **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. The amendments in this final rule are effective **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Compliance date: Compliance with the amendments to 47 CFR 64.2010(h), published at 88 FR 85794, December 8, 2023, for covered providers is required as of **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Federal Communications Commission, 45 L Street, SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: For further information, contact Melissa Kirkel, Competition Policy Division, Wireline Competition Bureau, at (202) 418-7958 or Melissa.Kirkel@fcc.gov.

SUPPLEMENTARY INFORMATION: On January 15, 2025, OMB approved the information collection requirements relating to Customer Proprietary Network Information (CPNI) contained in the Commission's *SIM Swap and Port-Out Fraud Report and Order*, FCC 23-95, published at 88 FR 85794, December 8, 2023. The OMB Control Number is 3060-0715. The Bureau publishes this document as an announcement of the effective and compliance dates, respectively, of those rules and to make conforming changes to 47 CFR 64.2010(h)(9) to incorporate this compliance date and eliminate text referring to pending approval of information collection requirements by OMB.

On November 16, 2023, the Commission released the *SIM Swap and Port-Out Fraud Order*, FCC 23-95, published at 88 FR 85794, December 8, 2023, which adopted a baseline framework to combat SIM swap fraud by amending section 64.2010 of the CPNI rules to add paragraph (h) on Subscriber Identity Module (SIM) changes and adds new information collection requirements in paragraphs (h)(2) through (6) and (h)(8) of that rule. The Commission required covered providers to comply with the rules adopted therein within six months after the effective date of the *Order*, or after review of the rules by the Office of Management and Budget (OMB) is completed, whichever is later.

If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. Please include the OMB Control Number, 3060-0715, in your correspondence. The Commission will also accept your comments via email at PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice).

SYNOPSIS

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on January 15, 2025 for the information collection requirements contained in the modifications to the Commission's rules in 47 CFR 64.2010(h). These actions allow the Wireline Competition Bureau to set the effective dates for these rules and for the conforming changes to 47 CFR 64.2010(h)(9) to establish the compliance date for those revisions. It is therefore modifying the language of 47 CFR 64.2010(h)(9) to incorporate compliance dates and eliminate text referring to pending approval by OMB.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-0715.

The foregoing is required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13) October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060-0715.

OMB Approval Date: January 15, 2025.

OMB Expiration Date: January 31, 2028.

Title: Telecommunications Carriers' Use of Customer Proprietary Network Information (CPNI) and Other Customer Information.

Form Number: N/A.

Respondents: Business or other for-profit entities, and state, local, or tribal government.

Number of Respondents and Responses: 2,935 respondents; 91,735,800 responses.

Estimated Time per Response: 0.1 hour - 140 hours (on average).

Frequency of Response: On occasion, annual, and one-time reporting requirements; recordkeeping; and third party disclosure requirements.

Obligation to Respond: Mandatory. Statutory authority for these collections are contained in Sections 201 and 222 of the Communications Act of 1934, as amended, 47 U.S.C. Section 201, 222.

Total Annual Burden: 317,534 hours.

Total Annual Cost: $15,000,000.

Needs and Uses: Section 222 of the Communications Act of 1934, as amended, 47 U.S.C. § 222, establishes the duty of telecommunications carriers to protect the confidentiality of its customers' proprietary information. This proprietary information (CPNI) includes personally identifiable information derived from a customer's relationship with a provider of telecommunications services. This information collection implements the statutory obligations of Section 222. These regulations impose safeguards to protect Customer Proprietary Network Information (CPNI) and other customer proprietary information against unauthorized access and disclosure.

On November 16, 2023, the FCC released the *SIM Swap and Port-Out Fraud Order* (88 FR 85794 (December 8, 2023)), which adopted a baseline framework to combat SIM swap fraud by amending section 64.2010 of the CPNI rules to add paragraph (h) on Subscriber Identity Module (SIM) changes and adds new information collection requirements in paragraphs (h)(2) through (6) and (h)(8) of that rule. A SIM swap involves the fraudulent transfer (or "swap") of an account from a device associated with one SIM to a device associated with a different SIM, allowing a bad actor to control the victim's mobile account and access the victim's CPNI. The new rules establish a uniform framework that gives wireless providers flexibility to implement customer authentication and security methods to address SIM swap fraud. The *SIM Swap and*

Port-Out Fraud Order modifies the existing CPNI collection requirements to require wireless providers to: (1) adopt processes for responding to failed authentication attempts in connection with a SIM change request; (2) immediately notify customers of any requests for a SIM change associated with the customer's account before the SIM change is completed; (3) offer all customers, at no cost, the option to lock or freeze their account to stop SIM change requests; (4) provide customers with advance notice of any account protection measures offered; (5) maintain a clear process for customers to report SIM fraud, promptly investigate and remediate fraud, and promptly provide customers with documentation of fraud involving their accounts; and (6) track and maintain for three years a record of SIM change requests and authentication measures used.

List of Subjects in 47 CFR Part 64

Communications, Communications common carriers, Privacy, Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

Marlene Dortch,
Secretary, Office of the Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 64 as follows:

PART 64 – MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

1. The authority citation for part 64 is revised to read as follows:

Authority: 47 U.S.C. 151, 152, 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 227a, 227b, 228, 251(a), 251(e), 254(k), 255, 262, 276, 301, 303, 316, 345, 403(b)(2)(B), (c), 609 note, 616, 620, 716, 1401-1473, unless otherwise noted; Div. P, sec. 503, Pub. L. 115-141, 132 Stat. 348, 1091.

2. Amend § 64.2010 by revising paragraph (h)(9) to read as follows:

§ 64.2010 Safeguards on the disclosure of customer proprietary network information.

* * * * *

(h) * * *

(9) *Compliance.* Compliance with this paragraph (h) is required by [**INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**].

[FR Doc. 2026-23400 Filed: 11/16/2026 8:45 am; Publication Date: 11/17/2026]