This document is scheduled to be published in the Federal Register on 2026-11-18 and available online at **https://www.federalregister.gov/d/2026-23522**, and on **https://govinfo.gov**

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 52

[WC Docket No. 21-341; FCC 23-95; FR ID 378222]

Protecting Consumers from SIM-Swap and Port-Out Fraud

AGENCY: Federal Communications Commission

ACTION: Final rule; announcement of compliance date.

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 Telephone Number Portability. This document is consistent with the *SIM Swap and Port-Out Fraud Order*, which directed the Wireline Competition Bureau to publish a document in the Federal Register announcing a compliance date of the rules.

DATES*: Effective date:* Amendatory instruction 2 (47 CFR 52.37), 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 52.37, published at 88 FR 85794, December 8, 2023, for commercial mobile radio service 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 November 16, 2023, the FCC released a *Report and Order and Further Notice of Proposed Rulemaking* (88 FR 85794 (Dec. 8, 2023)) (*SIM Swap and Port-Out Fraud Order*), which adds new information collection requirements. The *SIM Swap and Port-Out Fraud Order* adopted baseline measures to increase protections for customers against fraudulent port-outs by adding new § 52.37 in Part 52, and adds new information collection requirements in paragraphs (c), (d), (e), and (g) of that rule. Port-out fraud occurs where a bad actor impersonates a customers of a wireless provider and convinces the provider to port the real customer's telephone number to a new wireless provider and a device that the bad actor controls, allowing a bad actor to control the victim's mobile account and receive text messages and phone calls intended for the victim. The new rules establish a uniform framework that gives wireless providers flexibility to implement customer authentication and security methods to address port-out fraud. The *SIM Swap and Port-Out Fraud Order* modifies the existing Local Number Portability collection requirements to require wireless providers to: (1) immediately notify customers of any requests for a port-out request associated with the customer's account before effectuating the request; (2) provide customers with advance notice of any account protection measures offered; (3) offer all customers, at no cost, the option to lock or freeze their account to stop SIM change requests; and (4) maintain a clear process for customers to report fraudulent number ports, and promptly provide customers with documentation of fraudulent ports involving their accounts. Wireless providers are required to comply with the new or modified rules except where the Safe Connections Act requires alternate procedures to be used. 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.

On January 15, 2025, OMB completed its review of the Commission's rules implementing the *SIM Swap and Port-Out Fraud Order*. Accordingly, compliance with the rules

adopted by the Commission in that *Order*, 47 CFR 52.37, is required by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

The Commission publishes this document as an announcement of the compliance date of 47 CFR 52.37 and to modify the text of this rule previously published at 88 FR 85794 (December 8, 2023), to incorporate this date and eliminate text referring to pending approval of information collection requirements by OMB.

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, 3060-0742, 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 52.37. These actions allow the Wireline Competition Bureau to set the compliance dates for these rules and for the conforming changes to 47 CFR 52.37(h). It is therefore modifying the language of 47 CFR 52.37(h) 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 3060-0742.

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: 3060-0742.

OMB Approval Date: January 15, 2025.

OMB Expiration Date: January 31, 2028.

Title: Sections 52.21 through 52.37, Telephone Number Portability (47 CFR Part 52, Subpart C) and CC Docket No. 95-116.

Form Number: N/A.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 1,626 respondents; 13,672,650 responses.

Estimated Time per Response: 0.067 hour - 100 hours (on average).

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

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 152, 154(i), 201–205, 215, 251(b)(2), 251(e)(2) and 332 of the Communications Act of 1934, as amended.

Total Annual Burden: 840,235 hours.

Total Annual Cost: $15,000,000.

Needs and Uses: Section 251(b)(2) of the Communications Act of 1934, as amended, requires LECs to "provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission." Through the LNP process, consumers have the ability to retain their phone number when switching telecommunications service providers,

enabling them to choose a provider that best suits their needs and enhancing competition. In the Porting Interval Order and Further Notice, the Commission mandated a one business day porting interval for simple wireline-to-wireline and intermodal port requests. The information collected in the standard local service request data fields is necessary to complete simple wireline-to-wireline and intermodal ports within the one business day porting interval mandated by the Commission and will be used to comply with Section 251 of the Telecommunications Act of 1996.

On November 16, 2023, the FCC released a *Report and Order and Further Notice of Proposed Rulemaking* (88 FR 85794 (Dec. 8, 2023)) (*SIM Swap and Port-Out Fraud Order*), which adds new information collection requirements. The *SIM Swap and Port-Out Fraud Order* adopted baseline measures to increase protections for customers against fraudulent port-outs by adding new section 52.37 in Part 52, and adds new information collection requirements in paragraphs (c), (d), (e), and (g) of that rule. Port-out fraud occurs where a bad actor impersonates a customers of a wireless provider and convinces the provider to port the real customer's telephone number to a new wireless provider and a device that the bad actor controls, allowing a bad actor to control the victim's mobile account and receive text messages and phone calls intended for the victim. The new rules establish a uniform framework that gives wireless providers flexibility to implement customer authentication and security methods to address port-out fraud. The *SIM Swap and Port-Out Fraud Order* modifies the existing Local Number Portability collection requirements to require wireless providers to: (1) immediately notify customers of any requests for a port-out request associated with the customer's account before effectuating the request; (2) provide customers with advance notice of any account protection measures offered; (3) offer all customers, at no cost, the option to lock or freeze their account to stop SIM change requests; and (4) maintain a clear process for customers to report fraudulent number ports, and promptly provide customers with documentation of fraudulent ports involving their accounts. Wireless providers are required to comply with the new or modified rules except

where the Safe Connections Act requires alternate procedures to be used.

List of Subjects in 47 CFR Part 52

Communications, Communications common carriers, Telephone.

Federal Communications Commission.

Marlene Dortch,
Secretary, *Office of the Secretary.*

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 52 as follows:

PART 52 – NUMBERING

1. The authority citation for part 52 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 155, 201-205, 207-209, 218, 225-227, 227b-1, 251-252, 271, 303, 332, unless otherwise noted.

2. Amend § 52.37 by revising paragraph (h) to read as follows:

§ 52.37 Number Portability Requirements for Wireless Providers.

* * * * *

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

[FR Doc. 2026-23522 Filed: 11/17/2026 8:45 am; Publication Date: 11/18/2026]