Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Rules and Regulations Implementing the	)	CG Docket No. 02-278
Telephone Consumer Protection Act of 1991	)	

ORDER

Adopted: April 7, 2025 **Released: April 7, 2025**

By the Acting Chief, Consumer and Governmental Affairs Bureau:

I. INTRODUCTION

1. In this Order, we grant a limited waiver delaying the effective date of section 64.1200(a)(10) of the Commission's rules to the extent the rule requires callers to treat a request to revoke consent made by a called party in response to one type of message as applicable to all future robocalls and robotexts from that caller on unrelated matters.[1] Specifically, we find that good cause exists to delay the effective date for this requirement until April 11, 2026 to allow affected parties a reasonable opportunity to implement modifications to communications systems in a cost-effective manner to ensure that they can process revocation requests in accordance with this rule.

II. BACKGROUND

2. *TCPA Consent Order*. On February 16, 2024, the Commission released the *TCPA Consent Order* adopting various rules governing, and issuing clarifications relating to, the ability of consumers to revoke consent to receive unwanted robocalls and robotexts.[2] In so doing, the Commission adopted section 64.1200(a)(10) of the rules, which requires in relevant part that "[i]f a called party uses any [reasonable] method to revoke consent, that consent is considered definitively revoked and the caller may not send additional robocalls and robotexts."[3]

3. The Commission also clarified that "[o]nce that consent is revoked, the caller may no longer make robocalls or send robotexts to a called party absent an exemption to the consent obligation."[4] The Commission noted that it has granted exemptions from the consent requirement for certain categories

[1] *See* 47 CFR § 64.1200(a)(10). As of the date of this Order, section 64.1200(a)(10) has not been published in the CFR. The current effective date for compliance with this requirement is April 11, 2025. For purposes of this Order, the terms "robocall" and "robotext" mean any call or text made using an autodialer or any call that contains an artificial or prerecorded voice message.

[2] *See Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, Report and Order and Further Notice of Proposed Rulemaking, FCC 24-24 (rel. Feb. 16, 2024) (*TCPA Consent Order*). The Telephone Consumer Protection Act (TCPA) generally requires any person making robocalls or sending robotexts to obtain the recipient's prior express consent absent an emergency purpose or an applicable exemption. *See* 47 U.S.C. § 227(b).

[3] *See* 47 CFR § 64.1200(a)(10).

[4] *TCPA Consent Order* at para. 29.

of robocalls and robotexts.[5] As a result, the rule that requires callers to honor revocation of consent made by any reasonable method "applies only to robocalls and robotexts that the called party has consented to receive and is separate from the ability of callers to make such informational communications pursuant to an exemption, which do not require consent."[6] With regard to exempted calls, the Commission confirmed that if a revocation request is made directly in response to an exempted informational call or text, such revocation constitutes an opt-out request from the consumer that requires *all* further robocalls and robotexts to stop.[7]

4. On October 11, 2024, the Commission published in the Federal Register an announcement that compliance with the amendments and new rules set forth in the *TCPA Consent Order* as contained in 47 CFR §§ 64.1200(a)(9)(i)(F), (10), (11) and (d)(3) is required as of April 11, 2025.[8]

5. *Waiver Request*. On March 12, 2025, several associations of banks and financial institutions filed a request asking that the Commission "waive the revocation rules established by the Order for a period of one year, to April 11, 2026."[9] These parties argue that there is good cause under section 1.3 of the Commission's rules to waive the effective date of the revocation rules for one year because financial institutions face numerous challenges modifying existing communications to process "a revocation sent in response to one business unit's call or text so that all business units cease placing calls or texts to the consumer."[10]

6. The parties contend that these modifications involve substantial work for larger institutions with many business units with separate caller systems, and argue that smaller providers also face numerous challenges, as modifications to their communications systems often require manual work.[11] They also note that callers often outsource to third parties the responsibility to communicate with customers by phone or text, which requires coordination to ensure that all communications can stop such calls upon receipt of a revocation request.[12] mPulse, a vendor in the healthcare industry, filed in support of the waiver request, indicating that healthcare organizations contact consumers across different business units or vendors and a "substantial amount of work across multiple systems" is needed to bring calling systems into compliance with the "revoke all" provision.[13]

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[5] *See* 47 CFR § 64.1200(a)(3), (9) (setting out various categories of calls that do not require prior consent, including calls made for emergency purposes, and number and frequency limits on certain other types of exempted informational calls).

[6] *TCPA Consent Order* at para. 30.

[7] *Id*.

[8] *See* Federal Communications Commission, *Strengthening the Ability of Consumers to Stop Robocalls*, 89 Fed. Reg. 82518 (Oct. 11, 2024).

[9] Letter from American Bankers Association, ACA International, American Financial Services Association, America's Credit Unions, Mortgage Bankers Association, to Marlene H. Dortch, Secretary, FCC, at 1-2 (filed Mar. 12, 2025) (ABA et al. Mar. 12 *ex parte*); *see also* Letter from American Bankers Association, ACA International, American Financial Services Association, America's Credit Unions, Mortgage Bankers Association, to Marlene H. Dortch, Secretary, FCC, at 1 (filed Mar. 27, 2025) (ABA et al. Mar. 27 *ex parte*).

[10] ABA et al. Mar. 12 *ex parte* at 1.

[11] *Id.* at 1.

[12] *Id*.

[13] Letter from Steven A. Augustino, Counsel to mPulse, to Marlene Dortch, Secretary, FCC (filed Mar. 24, 2025) (mPulse *ex parte*).

III. DISCUSSION

7. The Commission's rules may be waived for good cause shown.[14] The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.[15] In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.[16] Waiver of the Commission's rules is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.[17]

8. We find that good cause exists to justify a limited waiver of the effective date of section 64.1200(a)(10) of the Commission's rules to the extent that it requires callers to apply a request to revoke consent made in response to one type of message to all future robocalls and robotexts from that caller on unrelated matters. For the reasons discussed herein, we delay the effective date of any such requirement until April 11, 2026.

9. In the *TCPA Consent Order*, the Commission acknowledged that compliance with certain rules adopted therein, including section 64.1200(a)(10), necessitates "an extended period of time to ensure that affected parties can take measures to implement these changes," and thus delayed the effective date of such rules until six months after the Commission publishes a notice that the Office of Management and Budget has completed its required review.[18] The record now contains more evidence that callers require additional time to ensure that they can process revocation requests sent in response to one business unit's call or text to ensure that all calls and texts from that business that require consent stop upon receipt of a revocation request.[19] For example, the organizations representing financial institutions explain that these institutions "face significant challenges designing a system that allows the institution, when receiving a consumer's revocation, to clarify the scope of revocation so that the institution does not apply a customer's revocation to a broader category of messages than the customer intended."[20] The record confirms that healthcare providers face similar challenges.[21] As a result, we find that special circumstances justify a limited extension to allow callers or senders of text messages a reasonable opportunity to ensure that they can process revocation requests consistent with our rules.

10. Moreover, we find that the public interest is served by a waiver. As noted, the record confirms that a limited delay is necessary to provide sufficient time for affected parties to process revocation requests received across different business units.[22] A variety of financial and healthcare organizations confirm that in the absence of such a delay that they will incur significant hardship in the expenditure of resources to comply with the rule.[23] As a result, we believe that the public interest is served by delaying the effective date to ensure that these parties can process revocation requests in a cost-effective manner that effectuates the preferences of the called party.

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[14] 47 C.F.R. § 1.3.

[15] *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

[16] *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969).

[17] *WAIT Radio*, 418 F.2d at 1159; *Northeast Cellular*, 897 F.2d at 1166.

[18] *TCPA Consent Order* at para. 34.

[19] *See* ABA et al. Mar. 12 *ex parte* at 1; mPulse *ex parte* at 2.

[20] *See* ABA et al. Mar. 27 *ex parte* at 2.

[21] *See* mPulse *ex parte* at 2.

[22] *See* ABA et al. Mar. 12 *ex parte* at 1-2 (requesting a delay until April 11, 2026); mPulse *ex parte* at 3 (requesting a delay until April 11, 2026).

[23] *See* ABA et al. Mar. 12 *ex parte* at 1; mPulse *ex parte* at 3.

11. We emphasize that this waiver extends only to section 64.1200(a)(10) to the extent discussed herein. This ruling does not otherwise delay the effective date of the other rules adopted in the *TCPA Consent Order*.[24] In addition, this Order does not alter the status quo relating to any other prior Commission rulings addressing revocation of consent.[25]

IV. ORDERING CLAUSES

12. For the reasons stated above, **IT IS ORDERED**, pursuant to sections 1-4 and 227 of the Communications Act of 1934, as amended, 47 U.S.C. § 151-154 and 227, and sections 1.3 and 64.1200 of the Commission's rules, 47 CFR §§ 1.3, 64.1200, and the authority delegated in sections. 0.141 and 0.361 of the Commission's rules, 47 CFR §§ 0.141, 0.361, that this Order is hereby **ADOPTED**.

13. **IT IS FURTHER ORDERED** that the effective date of section 64.1200(a)(10) is extended to April 11, 2026 to the extent discussed herein.

14. **IT IS FURTHER ORDERED** that, pursuant to section 1.3 of the Commission's rules, 47 CFR § 1.3, this Order shall be effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Eduard Bartholme III
Acting Chief
Consumer and Governmental Affairs Bureau

[24] Those rules include amendments to sections 64.1200(a)(9)(i)(F) and (d)(3) and new section 64.1200(a)(11). Compliance with those rules is required as of April 11, 2025. We note that section 64.1200(a)(12) has gone into effect.

[25] *See, e.g.*, *Rules and Regulations Implementing the Telephone Consumer Protection Act or 1991*, CG Docket No. 02-278, WC Docket No. 07-135, Declaratory Ruling and Order, 30 FCC 7961, 7993-99, paras. 55-70 (2015) (clarifying that consumers who have provided prior express consent to receive robocalls may revoke such consent through any reasonable means).