FCC Revises TCPA Revocation of Consent Rules That Were Set to Go Into Effect in January

What You Need to Know

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KEY POINTS

- The FCC has circulated a Report and Order (FCC-CIRC 2609-05) revising the Telephone Consumer Protection Act (TCPA) consent-revocation framework, with new rules set to take effect 30 days after Federal Register publication.
- Under the revised rules, callers may treat a consumer's revocation request as applying only to the specific category of informational robocall at issue, rather than as a blanket opt-out from all calls and texts.
- A single revocation of telemarketing consent still eliminates all future telemarketing robocalls from that caller, and the category-specific flexibility does not extend to advertising or promotional communications.
- Callers may now designate one exclusive opt-out method — an automated voice or key-press opt-out, a standardized text keyword reply, or a designated website or phone number — and are not required to honor revocations submitted by any other means, provided the method is clearly and conspicuously disclosed.
- Financial institutions gain expanded authority to send exempt fraud-alert calls and texts to wireless numbers obtained from reliable sources, including numbers from authorized family members, captured via caller ID, or obtained from another financial institution's records.

OVERVIEW

On September 9, the Federal Communications Commission (FCC) released a *Report and Order and Further Notice of Proposed Rulemaking* (FCC-CIRC 2609-05) revising the rules —previously scheduled to take effect on January 31, 2027 — governing how consumers may revoke consent to calls and text messages using artificial or prerecorded voices or an automatic telephone dialing system under the Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227. The rules would also govern how consumers may revoke prior express permission for telemarketing calls and telephone solicitations under the Do Not Call regulations. The order was circulated for tentative consideration at the Commission's September 30 open meeting.

The revisions would significantly change the revocation framework adopted in the Commission's 2024 *TCPA Consent Order* (39 FCC Rcd 1988), responding to concerns that the prior "revoke all" rule was over-inclusive and inconsistent with consumer intent. The changes would take effect 30 days after publication in the *Federal Register*, superseding the previously delayed January 31, 2027, effective date.

At a high level, the order makes three principal changes:

- **Category-Specific Revocation for Informational Robocalls.** Callers may now interpret a revocation request as applying ***only*** to the specific category of informational call or text to which the revocation was directed — not all calls and texts from that caller. This change applies only to informational calls and texts (*i.e.*, calls that do not contain an advertisement or constitute telemarketing). For example, a consumer opting out of debt collection calls would not be opted out of fraud alert or appointment reminder calls. For telemarketing calls, a single revocation still revokes consent or permission for all future telemarketing from that caller.

- **Designated Exclusive Revocation Methods.** Callers may designate one or more of three specified methods as the exclusive means of revocation, provided the designation is clearly and conspicuously disclosed: (1) an automated, interactive voice or key-press mechanism, (2) specific standardized words in response to text messages, and (3) a website or telephone number. Callers who designate an exclusive method are not required to process revocations made by any other means.

- **Expanded Fraud Alert Exemption for Financial Institutions.** Financial institutions may now send exempt fraud-related calls and texts to wireless numbers obtained from "reliable sources," not only numbers provided directly by the customer.

The FCC also issued a companion Further Notice of Proposed Rulemaking (FNPRM) seeking comment on additional changes, including reducing the timeframe for honoring revocation requests, requiring two-way texting, mandating a "revoke all" method, and clarifying affiliate treatment.

WHAT CHANGED

Modification of the "Revoke All" Rule (Section 64.1200(a)(10))

Prior Rule: Under the 2024 *TCPA Consent Order*, § 64.1200(a)(10) provided that once a consumer revoked consent in any reasonable manner, that consent was "definitively revoked" for all calls or texts that require consent or permission, regardless of category. This "revoke all" provision had been delayed twice: first to April 11, 2026, and then to January 31, 2027 (DA 26-12, CGB Jan. 6, 2026).

New Rule: Callers may now interpret a revocation request as applying ***only*** to the specific category of **informational calls or texts** to which the revocation was directed — not all calls and texts from that caller.

Critical Distinction — Informational vs. Telemarketing:This modification applies exclusively to "informational" calls and texts, i.e., those that that do not contain an advertisement or constitute telemarketing, as defined in 47 CFR § 64.1200(f)(1) and (13). For calls and texts that contain an advertisement or constitute telemarketing, a single revocation request **still revokes consent and permission for all future telemarketing calls and texts** from that caller. This distinction is critical for compliance and is expected to be a focal point of enforcement and litigation.

Rationale: A broad consensus of commenters — including financial institutions, healthcare providers, utilities, and consumer groups — argued that the revoke-all rule was overinclusive and inconsistent with consumer intent. The FCC noted that 62% of survey respondents expressed concern that the revoke-all rule would require banks to stop all messages, including fraud alerts (American Bankers Association Comments). The Commission concluded the rule unduly restricted consumers' ability to continue receiving wanted informational communications.

Designated Exclusive Revocation Methods (§§ 64.1200(a)(10)–(11))

Prior Rule: Under the 2015 *TCPA Declaratory Ruling* (30 FCC Rcd 7961) and the 2024 *TCPA Consent Order*, consumers could revoke consent using “any reasonable manner,” and callers were required to process all such requests regardless of method.

New Rule: Callers may now designate any one or more of three specified methods as the ***exclusive*** means by which consumers may revoke consent. Callers who designate an exclusive method are not required to process revocations made by any other means. The three specified methods are:

1. **An automated, interactive voice or key press-activated opt-out mechanism on a call**;
2. **Replying to an incoming text message with standardized words**: “stop,” “quit,” “end,” “revoke,” “opt-out,” “cancel,” or “unsubscribe”; and/or
3. **A website or telephone number designated by the caller** to process opt-out requests.

Disclosure Requirement: The caller must clearly and conspicuously disclose the designated method on the call or in the text message to rely on the exclusive-method designation.

Default Fallback: **If a caller fails to designate an exclusive method, it must continue to process revocation requests made by “any reasonable means”** under § 64.1200(a)(11). In such cases, a rebuttable presumption applies that consent has been revoked when the called party produces evidence of a request.

Preservation of Existing Opt-Out Rules: The new rules do not amend existing opt-out requirements in other sections of the TCPA or regulations, including requirements for calls made under an exemption or that constitute telemarketing under 47 CFR § 64.1200(b)(3). For example, calls using an artificial or prerecorded voice that introduce an advertisement or constitute telemarketing must continue to provide an automated, interactive voice or key-press mechanism to make a do-not-call request.

Expanded Fraud Alert Exemption for Financial Institutions (§ 64.1200(a)(9)(iii)(A))

Prior Rule: Financial institutions could only make exempt fraud-related calls and texts to wireless numbers provided *directly by the customer*.

New Rule: Financial institutions may now use wireless numbers obtained from “reliable sources,” defined as:

1. A number supplied by a spouse or other family member authorized to be on the account;
2. A number obtained when the customer calls the institution (*e.g.*, via Caller ID); or
3. A number included in records obtained from another financial institution.

The FCC encourages use of the Reassigned Numbers Database (RND) to prevent misdirected calls. Financial institutions must still honor opt-out requests immediately and comply with the numerical cap of no more than three messages per event over three days per affected account.

PRACTICAL GUIDANCE

The rule changes require immediate attention from anyone responsible for developing, managing, or overseeing telemarketing and informational calling or texting campaigns. The TCPA provides a private right of action with statutory damages of **$500 per violation** that may be trebled to **$1,500 per willful or knowing violation**. 47

U.S.C. § 227(b)(3); § 227(c)(5). Class action litigation under the TCPA remains among the most active areas of federal consumer litigation. Below are step-by-step recommendations to bring your practices into compliance.

Classify Your Communications

Categorize each campaign as “informational” or “telemarketing,” document the classification, and flag mixed-content campaigns for review. Any promotional content makes a message telemarketing; when in doubt, treat it as telemarketing.

Choose and Designate Your Revocation Method(s)

Decide which method(s) to designate. If you designate an exclusive method, you are not required to process revocations made any other way. **If you fail to designate an exclusive method**, you must continue to process revocation requests made **by “any reasonable means.”**

The three approved methods are:

1. Interactive voice or key-press opt-out on calls.
2. Reply with a standard keyword via text: STOP, OPT-OUT, UNSUBSCRIBE.
3. Website or toll-free phone number.

Most texting campaigns should, at a minimum, support the keyword-reply method. Voice campaigns should implement automated voice or key-press opt-out where technically feasible. Whatever method you choose, the designated method must be disclosed clearly on every call or in every text.

Update Your Disclosures

The exclusive-method designation only works if you tell consumers about it properly. Your obligation is to make a “clear and conspicuous” disclosure of the designated revocation method.

What this means in practice:

- **For text messages:** Include language such as “Reply STOP to opt-out of these messages” in every text message, or include a link to your opt-out page. The disclosure should be prominent — not buried in fine print or obscured by other content.

- **For voice calls:** Include a clear statement in your prerecorded message or IVR prompt, such as: “Press 2 at any time to stop receiving these calls.” If using a live agent, train representatives to state the opt-out method at the beginning or end of each call.

- **For mixed campaigns:** If you use multiple methods (*g.*, keyword reply for texts AND a website for calls), disclose the correct method in each channel.

- **Scripts:** Revise all scripts, templates, and message content to include the required disclosures before the effective date.

Update Opt-Out Processing Workflows

Configure systems to process revocations received through the designated method promptly and reliably.

- **Processing timeline:** All revocation requests must be honored within a reasonable time, not to exceed 10 business days from receipt. (Note: The FNPRM proposes reducing this to seven business days — plan ahead.)

- **Cross-platform coordination:** If your organization sends both informational and telemarketing messages, ensure that a revocation of telemarketing consent is applied to ALL telemarketing campaigns from your organization — not just the specific campaign that triggered the opt-out.

Further Notice of Proposed Rulemaking — Pending Issues

The FCC is also seeking comment on several additional proposed changes that, if adopted, could further alter the revocation framework:

- Reducing the maximum timeframe for honoring revocation requests from 10 to seven days.
- Requiring two-way texting functionality for text-message-based communications (potentially eliminating the one-way texting protocol exception).
- Whether to mandate a “revoke all” method as a condition of allowing callers to use category-specific revocation.
- Clarifying treatment of affiliates, separate lines of business, and divisions (proposed new § 64.1200(a)(13)).
- Reducing the list of standardized revocation words.
- Allowing confirmation calls after revocation within a reasonable time (not to exceed the end of the next business day).
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