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Name: Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor

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Agency: Larimer Emergency Telephone Authority
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Comments

Larimer Emergency Telephone Authority (“LETA”) appreciates the opportunity to submit these Comments in response to the proposed rules published at Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor 84 Fed. Reg. 29478 (June 24, 2019) (to be codified at 47 CFR pt. 64), especially items 11 through 16. See also, Declaratory Ruling and Third Further Notice of Proposed Rulemaking Released June 7, 2019 (“TFNPR”) at ¶¶ 63-70.

LETA is the sole entity in Larimer County, Colorado responsible for the administration and operation of all emergency telephone service, 9-1-1 programs, and 9-1-1 equipment, including five separate Public Safety Answering Points (“PSAPs”). LETA is a legal entity formed and empowered by an Intergovernmental Agreement between twenty-five government agencies in Northern Colorado, which include cities, towns, fire protection districts, health districts, and hospital districts located within the County, plus Colorado State University.

LETA’s Comments primarily relate to the section in the Federal Register entitled “Protections for Critical Calls.” LETA is concerned about the significant risk that, in an effort to implement a framework to eliminate nuisance or illegal robocalls, critical calls could be blocked and not delivered. As CenturyLink stated in its November 19, 2018 letter to Chairman Pai:

Caller ID spoofing is not always illegal or unwarranted. Caller ID may be legitimately substituted by a business/university/government or medical office that utilizes a centralized calling platform; by organizations that have shared inbound numbers; by small businesses using call diversion and forwarding; or by facilities that need to protect the caller’s identity.

LETA does not believe that the proposed Critical Call List would provide sufficient safeguards or protections to ensure that the most important calls - calls coming in to a PSAP and calls going out from a PSAP - are not erroneously blocked.

Most specifically, LETA is concerned about its emergency alerts passing through the complex web of telephony networks under a SHAKEN/STIR framework. As the FCC recognizes:

The Emergency Alert System (EAS) is a national public warning system commonly used by state and local authorities to deliver important emergency information, such as weather and AMBER alerts, to affected communities. EAS participants – radio and television broadcasters, cable systems, satellite radio and television providers, and wireline video providers – deliver local alerts on a voluntary basis, but they are required to provide the capability for the President to address the public during a national emergency.

<https://www.fcc.gov/general/emergency-alert-system-eas-0>. LETA finds the EAS essential to public safety and emergency and disaster preparedness. Emergency alerts originating from a PSAP might result in failed authentication, depending on how the Emergency Alert System vendor secures their lines with their telephony provider. As the FCC noted in paragraph 80 of the TFNPR: “SHAKEN/STIR as developed is intended for IP-based networks, and thus, is less effective for calls that originate, terminate, or transit across TDM networks and does not work at all for calls that exclusively traverse TDM networks.” Colorado’s network is a mix of IP-based and legacy networks.

LETA encourages the FCC to implement requirements for authentication after thorough testing and vetting of the technical standard protocol by industry experts, and after careful study and analysis of the nature of false positives, including false positives resulting in the blocking of critical calls.

11. Certain emergency calls must never be blocked. Accordingly, the Commission considers requiring any voice service provider that offers call-blocking to maintain a “Critical Calls List” of numbers it may not block. Such lists would include at least the outbound numbers of 911 call centers. (i.e., PSAPs) and government emergency outbound numbers. The prohibition on call blocking would only apply to authenticated calls. The Commission seeks comment on this proposal.

LETA agrees that certain emergency calls must never be blocked. One way to ensure emergency calls are never blocked is the creation of the proposed Critical Calls List, whereby the outbound phone numbers for PSAPs and government emergency-related agencies are identified so that they are never blocked by carriers.

For LETA’s jurisdiction alone, there will be hundreds of numbers that need to be on the list. To ensure continuous accuracy of the Critical Calls List, agencies will need to upload numbers to the Critical Calls List database initially and, thereafter, have access for updating through an add/edit/delete process.

Citizens expect to be notified if there is imminent threat to life requiring immediate action. Emergency alert calls can be seen on the telephony network as a robocall. These emergency alert calls must not be throttled, discarded, or blocked. Many Emergency Alert System vendors allow unique and customizable caller ID's to be inserted in the outbound call process. This allows citizens to receive a call from a local and more recognizable number. From LETA's understanding, the customized caller ID for outbound calls would not pass the authentication as proposed.

Many Emergency Alert Systems use telephony resources that may originate out of state. There is no way for the carrier to know the content of the calls. The gateway analytics being proposed in this docket must be able to differentiate between critical communications and spoofing. Again, emergency alert calls cannot be throttled, discarded, or blocked.

12. The Commission seeks comment on what numbers should be required on a Critical Calls List.

How should the Commission define outbound numbers of 911 call centers (i.e., PSAPs)?

LETA suggests erring on the side of inclusion. All numbers entered by a 9-1-1 governing body, PSAP, or Federal/State/Local government emergency-related agency into the Critical Calls List database through a secure portal should be included on the Critical Calls List. Also, all numbers entered by an Emergency Alert System vendor into the Critical Calls List database through a secure portal should be included on the Critical Calls List.

How should the Commission define government emergency outbound numbers?

Again, LETA suggests erring on the side of inclusion. All numbers entered into the Critical Calls List database should be those numbers necessary for the operational continuity of a 9-1-1 governing body, PSAP, or Federal/State/Local government emergency-related agency, such as emergency operations centers and law enforcement agencies.

How can the Commission mitigate the burden of administering a Critical Calls List?

The proposed Critical Calls List should be an upload process through a secure portal by a 9-1-1 governing body, PSAP, or Federal/State/Local government emergency-related agency and their Emergency Alert System vendors. The process should allow for subsequent additions/edits/deletions to their entries by a 9-1-1 governing body, PSAP, or Federal/State/Local government emergency-related agency and their Emergency Alert System vendors.

Should a Critical Calls List be centrally maintained, or should each voice service provider instead maintain its own list? If centrally, what entity should maintain the list and how should voice service providers access the list?

The Critical Calls List database should be centrally maintained. The FCC or the National 911 Office should maintain the list, similar to the FCC's 911 Master PSAP Registry (see

<https://www.fcc.gov/files/masterpsapregistryv2239xlsx>) in a nonpublic manner with the highest level of security from cyberattack or hacking.

Voice service providers, government agencies, and Emergency Alert System vendors should be able to access the Critical Calls List database through a secure portal. They should be permitted to review their own entries, as well as all numbers affecting a service area or jurisdiction and the name of the agency responsible for uploading the information into the Critical Calls List database.

The outbound numbers used by PSAPs are also used for inbound calling in many circumstances. If the Critical Calls List database can be breached, then PSAPs are subject to a Denial of Service or TDOS attack. <https://www.dhs.gov/science-and-technology/blog/2018/07/09/partnering-prevent-tdos-attacks>. Confidentiality and security of the Critical Calls List database is paramount. The list must be protected and secured to prevent an attack. Safeguarding this information is essential.

Does the Commission's proposal capture the most important numbers to avoid blocking?

The Commission must ensure Emergency Alert System vendors are included as participants in the creation and maintenance of the Critical Calls List database. Their systems are dependent on the telephony network and accessing the infrastructure to send a mass notification. The mass notification may be sent to thousands of devices and could be viewed by carriers as a robocall on their network. The authentication of the emergency alert calls needs to be allowed even if the caller ID has been changed as part of the emergency alert software.

13. The Commission also seeks comment on limiting Critical Calls List protections to only those calls for which the Caller ID is authenticated. Does this provide protection against illegal callers spoofing these crucial numbers? The Commission seeks comment on whether voice service providers should be required to complete calls where any level of attestation is present so long as the Caller ID authenticates, or whether the Commission should limit this requirement.

More conversation needs to occur on this point to understand how Emergency Alert Systems would be or would not be impacted. In its push for the industry's prompt adoption of SHAKEN/STIR to stop unwanted and illegal robocalls, the FCC and the industry should know more about how to avoid unacceptable and unintended consequences in the authentication process through the network, like the blocking of critical calls and emergency alert calls. LETA urges that voice service providers complete calls where the number purporting to originate the call is on the Critical Calls List, but the Caller ID has not been authenticated.

14. How can the Commission ensure that a Critical Calls List is sufficiently protected from abuse by unscrupulous callers? Should the list be kept nonpublic to avoid unlawful spoofing of listed numbers? The Commission seeks comment on whether there are any benefits to making the list public that outweigh these risks. If not public, who should be able to access it?

The Critical Calls List database must be nonpublic and must be protected. As the FCC itself noted in paragraph 11 of its TFNPR:

Illegal calls can also pose a risk to public safety. For example, emergency medical paging services are not designed to handle voice calls, and so a large-scale robocalling campaign can disrupt emergency medical communications. Robocalling campaigns can also tie up emergency lines to 911 call centers (also known as Public Safety Answering Points (PSAPs)), which have limited capacity to process large call volumes.

EAS can be targets for wrongdoers; hackers have sought out vulnerabilities and acted upon them in the past. See <https://www.wired.com/2013/07/eas-holes/>.

LETA does not see any benefit to making the Critical Calls List public that outweighs the risk of a Denial of Service or TDOS attack.

Voice service providers, government agencies, and Emergency Alert System vendors should be able to access the Critical Calls List database through a secure portal. They should be permitted to review and update their submissions, as well as view all numbers affecting a service area or jurisdiction and the name of the agency responsible for uploading the information into the Critical Calls List database.

15. Calls Placed to 911. The Commission see no reason that the rule prohibiting blocking of calls to 911 should not apply to the blocking proposed herein. The Commission seeks comment on the extent to which PSAPs have received calls with a spoofed Caller ID reporting a false emergency.

LETA has not received significant or reoccurring issues of spoofed calls impacting their PSAPs or impeding their call flow.

16. The Commission seeks comment on other ways to protect callers from erroneous blocking. Should the Commission consider other bases for blocking unwanted, illegal calls?

LETA does not have the knowledge or expertise to suggest other ways to protect callers from erroneous blocking.

Thank you for your consideration.

Respectfully submitted,

/s/ Kimberly J. Culp

Kimberly Culp

Chief Executive Officer

Larimer Emergency Telephone Authority