

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Methods to Target and Eliminate)	CG Docket No. 17-59
Unlawful Robocalls)	

COMMENTS OF NEUSTAR, INC.

Neustar respectfully submits these comments in response to the Fourth Further Notice of Proposed Rulemaking (“*FNPRM*”)¹ to implement the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act’s (“*TRACED Act*”) requirements for a redress process for calling parties wrongfully affected by caller ID authentication information.²

Neustar supports the Commission’s continued efforts to combat illegal robocalling and applauds the Commission’s recent actions to tackle the problem. The Commission should build on those successes here by encouraging the use of market-based solutions and avoid overly prescriptive rules that may have unintended consequences. As discussed below, there are numerous commercial solutions available to prevent and redress situations in which legitimate calling parties are adversely impacted by incorrect caller ID authentication information. The Commission should encourage the use of these solutions and, at the very least, ensure that whatever rules it adopts are supportive of these important and growing services.

Likewise, the Commission should refrain from imposing any deadline for voice service providers to redress erroneously blocked calls and should not mandate a specific notification

¹ *In re Advanced Methods to Target and Eliminate Unlawful Robocalls*, Third Report and Order, Order on Reconsideration, and Fourth Further Notice of Proposed Rulemaking, CG Docket No. 17-59, FCC 20-96 (rel. July 17, 2020) (“*FNPRM*”).

² Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274 (2019) (“*TRACED Act*”).

system. Such one-size-fits-all approaches cannot account for the myriad of different scenarios that occur—for example, when the same number is identified as being used for both legitimate and illegitimate calls—and requiring a standard notification to all blocked calls risks enabling illegitimate calling parties to adapt more quickly to anti-spoofing efforts.

I. The Commission Should Encourage Calling Parties to Use Market-Based Solutions to Avoid and Address Adverse Effects of Incorrect Caller ID Authentication Information.

In the *FNPRM*, the Commission seeks comment on implementing section 4(c)(1)(C) of the TRACED Act, which requires the Commission to promulgate rules to establish “a process to permit a calling party adversely affected by the information provided by the call authentication frameworks . . . to verify the authenticity of the calling party’s calls.”³ Because there are market-based solutions available to avoid the passing of incorrect caller ID authentication information and to correct such instances where they do occur, the Commission should encourage calling parties to use these measures. Where such measures are unavailable or unsuccessful, calling parties should communicate directly with their originating voice service providers to address the problem.

There are multiple commercial solutions available in the marketplace to avoid passing incorrect caller ID authentication information. Neustar, for example, provides solutions that enterprises and other calling parties can use to achieve “A” level attestation for their outbound calls. Among other solutions, Neustar supports the use of delegate certificates, which is expected to be the first standards-based solution approved by the ATIS IP-NNI Task Force to allow enterprises to sign their own calls.⁴ The record highlights significant support for delegate

³ TRACED Act § 4(c)(1)(C), 133 Stat. at 3280; *FNPRM* ¶ 85.

⁴ See Document Details - IPNNI-2019-00021R000, ATIS, https://access.atis.org/apps/group_public/document.php?document_id=45823 (last visited Aug. 25, 2020).

certificates as a means for enterprise calls to receive full attestation.⁵ Proactive measures give enterprises, in particular, the flexibility to take control and ensure their calls are properly signed and are far more efficient than any redress process.

Where these kind of solutions are not used, there will be some instances in which incorrect caller ID authentication information will be provided. To address such instances, Neustar proposes a two-pronged redress approach that satisfies the requirement in the TRACED Act but does not frustrate existing commercial solutions. First, calling parties should communicate directly with their originating voice service providers. As the Commission notes,⁶ the terminating voice service provider only receives the caller ID authentication information to block the call, while it is the originating voice service provider that transmits the information and attests to the call. Accordingly, an adversely affected calling party with a relationship to the originating voice service provider should resolve the problem directly with the originating voice service provider.

Second, if coordination with the originating voice service provider is not feasible or practical (for example, if there are multiple originating voice service providers), the calling party can also work with a third party to resolve the problem. There are multiple third-party commercial solutions that correct wrongly blocked or mislabeled calls due to incorrect caller ID authentication information. Neustar, for example, offers its Caller Name Optimization (“CNO”) as one such solution for enterprise customers. (*See, e.g.*, Caller Name Optimization, <https://www.home.neustar/branded-contact-management/caller-name-optimization>.) With CNO,

⁵ *See, e.g.*, Comments of Cloud Communications Alliance at 3-5, WC Docket Nos. 17-97, 20-67 (May 15, 2020); Reply Comments of INCOMPAS at 7-9, WC Docket Nos. 17-97, 20-67 (May 29, 2020); Reply Comments of Inteliquent, Inc. at 4, WC Docket Nos. 17-97, 20-67 (May 29, 2020).

⁶ *FNPRM* ¶ 85.

Neustar informs enterprise customers how their telephone numbers are being labeled, and, if necessary, can assist them if their calls are mislabeled or wrongfully blocked due to incorrect caller ID authentication information.

Accordingly, at least with respect to enterprises, the Commission should embrace the use of commercial solutions, which are continuing to evolve and innovate.

II. The Commission Should Not Impose a Deadline for Voice Service Providers to Redress Erroneously Blocked Calls and Should Not Mandate a Specific Notification System.

In the *FNPRM*, the Commission seeks comment on section 10(b) of the TRACED Act, which directs the Commission to provide “transparency and effective redress for . . . callers” for “blocking services provided.”⁷ In implementing this requirement, the Commission should provide flexibility and avoid a “one-size-fits-all” policy.

In particular, the Commission should not mandate a resolution within a set amount of time, such as 24 hours, as some commenters have recommended.⁸ The volume of calls and unique situation of each dispute make it difficult for providers of call blocking and labeling tools to resolve all inquiries within a predetermined timeframe. Indeed, the record highlights the challenges associated with such an approach. For example, Transaction Network Services explains that it is not possible to resolve all disputes within 24 hours because “it often receives requests that encompass hundreds of telephone numbers.”⁹ First Orion similarly explains the complications associated with mandating a timeframe for resolution, as it depends on the specific

⁷ TRACED Act § 10(b), 133 Stat. at 3284; *FNPRM* ¶ 107.

⁸ *See, e.g.*, Comments of Voice on the Net Coalition (VON) at 4, WC Docket Nos. 17-97, 20-67 (May 15, 2020); Reply Comments of Twilio, Inc. at 7, WC Docket Nos. 17-97, 20-67 (May 29, 2020).

⁹ Letter from Steven A. Augustino, Counsel for Transaction Network Services, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 17-59 (July 10, 2020).

circumstances of each dispute.¹⁰ These problems are exacerbated in situations when caller ID authentication information is not available and both legitimate and illegitimate calls show the same originating telephone number.

While investigation and resolution may take time, Neustar supports a redress process requiring a one-business-day window for acknowledging receipt of a redress request. This timeframe strikes the appropriate balance of encouraging a timely response without imposing artificial timelines for a resolution.

The Commission should also refrain from proscribing a specific notification system. Mandating the use of SIP codes or other specific intercept feedback carries with it a significant risk that notifications would aide scammers and other illegitimate callers. This is because voice service providers would share this information with all calling parties that have their calls blocked, including those whose calls should be blocked. Providing parties that make illegal robocalls with feedback would make it easier for them to innovate their evasion tactics and frustrate call authentication technologies. As Congress directed, “the Commission [should] consider what information can be provided to a caller so that the caller can determine why it has been adversely affected by call authentication, but should not provide information that would facilitate frustration of call authentication technologies.”¹¹

Instead, both originating and terminating voice service providers should be able to choose whether and how to use this information on a call-by-call basis, to the extent their customers find this type of feedback useful. In most cases, voice service providers would be better off focusing their limited resources on ensuring that they adopt call authentication technology, inclusive of

¹⁰ Letter from Jennifer Glasgow, EVP, Policy and Compliance, First Orion, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 17-59 (July 9, 2020).

¹¹ S. Rep. No. 116-41, at 14-15 (2019).

enterprises, as quickly as possible, consistent with the TRACED Act’s goal of achieving “full participation.”¹²

CONCLUSION

Neustar supports the Commission’s continued efforts to eliminate unwanted and unlawful robocalling. The Commission should encourage calling parties to use commercial solutions and be proactive in addressing incorrect caller ID authentication information. To support continued innovation and avoid unintended consequences, the Commission should resist calls to create an overly prescriptive process.

Respectfully submitted,

Kevin A. Hughes
Exec. Vice President and General Counsel
NEUSTAR, INC.
21575 Ridgetop Circle
Sterling, VA 20166
(571) 434-5400

/s/ Samuel L. Feder
Samuel L. Feder
Rebekah P. Goodheart
JENNER & BLOCK LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001
(202) 639-6000

Counsel for Neustar, Inc.

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¹² See TRACED Act § 4(b)(5)(D), 133 Stat. at 3279.