

September 23, 2021

VIA *ECFS*

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Advanced Methods to Target and Eliminate Unlawful Robocalls, CG Docket No. 17-59; Call Authentication Trust Anchor, WC Docket No. 17-97, FCC-CIRC2109-06

Dear Ms. Dortch,

On September 30, 2021, the Federal Communications Commission (“Commission”) will consider a *Further Notice of Proposed Rulemaking* in the above-referenced proceedings that will propose to require gateway providers to apply STIR/SHAKEN caller ID authentication and to perform robocall mitigation measures in an effort to mitigate the threat of illegal robocalls originating abroad.¹ In addition, the *Draft Notice* seeks comment on alternative approaches to stop illegal foreign-originated robocalls.

The focus of this letter is on the provision in the *Draft Notice* that the Commission will not enforce the “foreign service provider prohibition,” which would prohibit U.S. intermediate and terminating voice service providers from accepting calls directly from foreign voice service providers that use NANP numbers, if that voice service provider has not registered in the agency’s Robocall Mitigation Database (“RMD”).² While the Voice on the Net (“VON”) Coalition, the Cloud Communications Alliance (“CCA”), and INCOMPAS take no immediate position on the *Draft Notice*, we commend the Commission for deciding not to enforce this requirement during the pendency of the proceeding and encourage the Commission to preserve this language if the *Draft Notice* is adopted and released.

Our organizations have sought reconsideration of this prohibition on foreign service provider traffic given our concerns that legitimate international originated calls may not be terminated in the United States by U.S. gateway or terminating service providers.³ Despite the best efforts of domestic voice service providers to educate their overseas partners about the

¹ See *Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor*, Draft Fifth Further Notice of Proposed Rulemaking in CG Docket No. 17-59 & Fourth Further Notice of Proposed Rulemaking in WC Docket No. 17-97, FCC-CIRC 2109-06 (rel. September 9, 2021) (“*Draft Notice*”).

² *Draft Notice* at para. 106., citing 47 C.F.R. § 64.6305(c).

³ See Petition for Reconsideration of VON Coalition, WC Docket No. 17-97 (filed Dec. 17, 2020); see also Joint Reply Comments of INCOMPAS and CCA, WC Docket No. 17-97 (filed Feb. 8, 2021).

prohibition, many foreign service providers are not aware of the requirement to register in the RMD. Furthermore, as the *Draft Notice* acknowledges, the rules do not address circumstances where foreign originating service providers hand off calls to foreign intermediate providers—which are not required to register in the RMD—increasing the likelihood that legitimate calls may not be completed if the rule was to go into effect as written. To address these concerns, our organizations urged the Commission to suspend the requirement and take additional comment from industry to address foreign-originated illegal robocalls.⁴ To see the Commission consider this approach is a welcome development that should allow industry the necessary time to address this issue in a more comprehensive and thorough manner, and the Commission should maintain this approach at its September meeting.

If you have any questions about this filing, please feel free to contact us.

Respectfully submitted,

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⁴ See VON Coalition, CCA, INCOMPAS Notice of Ex Parte Presentation, WC Docket No. 17-97 (filed Apr. 13, 2021), at 2.

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