

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

In the Matter of)	
)	
Call Authentication Trust Anchor)	WC Docket No. 17-97
)	

**COMMENTS OF THE AMERICAN BANKERS ASSOCIATION, ACA
INTERNATIONAL, AMERICAN FINANCIAL SERVICES ASSOCIATION, CREDIT
UNION NATIONAL ASSOCIATION, MORTGAGE BANKERS ASSOCIATION,
NATIONAL ASSOCIATION OF FEDERALLY-INSURED CREDIT UNIONS,
NATIONAL COUNCIL OF HIGHER EDUCATION RESOURCES, AND STUDENT
LOAN SERVICING ALLIANCE TO THE NOTICE OF INQUIRY**

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December 12, 2022

The American Bankers Association, ACA International, American Financial Services Association, Credit Union National Association, Mortgage Bankers Association, National Association of Federally-Insured Credit Unions, National Council of Higher Education Resources, and Student Loan Servicing Alliance¹ (the Associations) appreciate the opportunity to comment on the Notice of Inquiry (Notice) in the above-captioned proceeding.² In the Notice, the Federal Communications Commission (Commission) seeks comment on how best to implement a caller ID authentication framework for non-IP networks. In past actions, the Commission required telephone companies (Voice Service Providers) that make voice calls over non-IP networks to upgrade their entire network to IP and implement the “STIR/SHAKEN” caller ID authentication framework on the network, or participate in industry efforts to develop a caller ID authentication solution for non-IP networks.³

The Associations strongly support the Commission’s efforts to implement caller ID authentication solutions on non-IP networks. Bad actors illegally “spoof” phone numbers belonging to banks, credit unions, other financial service providers, healthcare companies, and other legitimate callers – i.e., they cause the call recipient’s caller ID to display the name of a legitimate company instead of the name of the actual caller, who is seeking to defraud the recipient. This spoofing can lead the recipient to believe the call was placed by a company with whom the recipient does business and to induce the consumer to provide important information, such as account numbers or log-in credentials, to the fraudster. Bad actors also have illegally

¹ A description of each trade association is listed in the Appendix.

² *In the Matter of Call Authentication Trust Anchor*, Notice of Inquiry, FCC 22-81, CG Docket No. 17-97 (Oct. 28, 2022) [hereinafter, *Notice*].

³ 47 C.F.R. § 64.6303(a).

spoofed the phone numbers belonging to the Consumer Financial Protection Bureau⁴ and the Centers for Disease Control and Prevention,⁵ posing as employees of the agency in attempts to defraud consumers.

To prevent illegal number spoofing, the Commission requires IP-based originating Voice Service Providers to attest to the authenticity of the telephone number that will be displayed in the recipient's caller ID. Each intermediate provider in the call path that has an IP network must pass this STIR/SHAKEN attestation information to the next downstream IP-based Provider until the call reaches the terminating Provider. However, because STIR/SHAKEN only works on IP networks, any non-IP network in the call chain will prevent the STIR/SHAKEN attestation from being transmitted. There is evidence showing that the presence of non-IP networks is substantially undermining the STIR/SHAKEN framework. For example, TransNexus (a provider of telecommunications solutions) found an increase between January and August 2022 in the number of providers "signing" calls under the STIR/SHAKEN call authentication framework.⁶ Yet, in each month during this time period, only 24% of calls that were delivered to recipients included STIR/SHAKEN call authentication information.⁷ For the remaining calls, either the call was not signed at origination or that signature was lost during the call's transit, indicating that non-IP networks may be preventing the transmission of the attestation information. Both network providers and companies have invested resources to implement STIR/SHAKEN. This investment

⁴ See Bureau of Consumer Fin. Prot., Beware of Scammers Pretending to be from the CFPB (Sept. 1, 2022), <https://www.consumerfinance.gov/about-us/blog/beware-of-scammers-pretending-to-be-from-the-cfpb/>.

⁵ See Ctrs. for Disease Control & Prevention, Phone Scams, <https://www.cdc.gov/media/phishing.html> (last visited Dec. 12, 2022).

⁶ Reply Comments of TransNexus, CG Docket No. 17-59, WC Docket No. 17-97, at 6 (rec. Sept. 16, 2022), <https://www.fcc.gov/ecfs/document/10916337622768/1>.

⁷ *Id.*

is being undermined by the continuing prevalence of non-IP networks, and the laudatory goal of STIR/SHAKEN to prevent illegal number spoofing is not being met.

Other commenters have noted that several commercial solutions exist that would allow Voice Service Providers to implement call authentication standards over non-IP networks.⁸ The Associations continue to urge the Commission to require non-IP network providers to implement a commercially available solution as soon as practicable.⁹

Some Voice Service Providers have raised concerns that requiring alternative solutions may detract from Providers' efforts to transition their systems to IP networks. However, we agree with Chairwoman Rosenworcel's statement that "[w]e are not just going to wait for this [non-IP] infrastructure to be updated and eligible for STIR/SHAKEN, we are going to look for ways to combat these calls on the oldest portions of our networks."¹⁰ The Associations take no position on which of the available technologies should be used, and it may be appropriate to allow non-IP providers to adopt a solution that works best for them, as long as the solution has the ability to transmit to the terminating carrier information regarding caller ID authenticity. The requirement to implement a solution should apply to all non-IP providers in the call chain.

We also urge the Commission and Voice Service Providers to ensure that calls placed by legitimate callers receive "A-level" attestation, which is the highest form of attestation available. Currently, it is not clear that all calls originated by legitimate callers receive A-level attestation,

⁸ See, e.g., *id.* at 7 (describing commercially available solutions); see also Cloud Communications Alliance Reply Comments, CG Docket No. 17-59, WC Docket No. 17-97, at 3-4 (rec. Sept. 16, 2022), <https://www.fcc.gov/ecfs/document/109161816206515/1>.

⁹ See Comments of Credit Union Nat'l Assoc. *et al.*, CG Docket No. 17-59, WC Docket No. 17-97, at 3-5 (rec. Aug. 17, 2022), <https://www.fcc.gov/ecfs/document/10817784617830/1>; Comment of Am. Bankers Ass'n, CG Docket No. 17-59, WC Docket No. 17-97, at 8 (rec. Sept. 16, 2022), <https://www.fcc.gov/ecfs/document/10917091207030/1>.

¹⁰ See Notice, *supra* note 2, at 23 (statement of Jessica Rosenworcel, Chairwoman, Fed. Commc'ns Comm'n).

even though the calling party can be authenticated and is authorized to use the numbers from which it originates calls. As call authentication solutions are more fully implemented, it will be increasingly critical that legitimate callers receive A-level attestation, which will ensure that these calls are completed.

Respectfully submitted,

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APPENDIX

The American Bankers Association is the voice of the nation's \$23.6 trillion banking industry, which is composed of small, regional and large banks that together employ more than 2 million people, safeguard \$19.4 trillion in deposits and extend \$12 trillion in loans.

ACA International represents approximately 1,800 members, including credit grantors, third-party collection agencies, asset buyers, attorneys, and vendor affiliates, in an industry that employs more than 125,000 people worldwide. Most ACA member debt collection companies are small businesses. The debt collection workforce is ethnically diverse, and 70% of employees are women. ACA members play a critical role in protecting both consumers and lenders. ACA members work with consumers to resolve their past debts, which in turn saves every American household more than \$700 year after year. The ARM industry is instrumental in keeping America's credit-based economy functioning with access to credit at the lowest possible cost.

The American Financial Services Association (AFSA) is the national trade association for the consumer credit industry, protecting access to credit and consumer choice. AFSA members provide consumers with closed-end and open-end credit products including traditional installment loans, mortgages, direct and indirect vehicle financing, payment cards, and retail sales finance.

The Credit Union National Association, Inc. (CUNA) is the largest trade association in the United States representing America's credit unions, which serve more than 130 million members. Credit unions are not-for-profit, financial cooperatives established "for the purpose of promoting thrift among [their] members and creating a source of credit for provident and productive purposes."

The Mortgage Bankers Association (MBA) is the national association representing the real estate finance industry that works to ensure the continued strength of the nation's residential and commercial real estate markets, to expand homeownership, and to extend access to affordable housing to all Americans.

The National Association of Federally-Insured Credit Unions (NAFCU) advocates for all federally-insured not-for-profit credit unions that, in turn, serve nearly 124 million consumers with personal and small business financial service products. NAFCU provides its credit union members with representation, information, education, and assistance to meet the constant challenges that cooperative financial institutions face in today's economic environment. NAFCU proudly represents many smaller credit unions with relatively limited operations, as well as many of the largest and most sophisticated credit unions in the nation. NAFCU represents 77 percent of total federal credit union assets, 56 percent of all federally-insured credit union assets, and 74 percent of all federal credit union member-owners.

The National Council of Higher Education Resources' mission is to provide superior advocacy, communications, regulatory analysis and engagement, and operational support to its members so they may effectively help students and families develop, pay for, and achieve their career, training, and postsecondary educational goals.

The Student Loan Servicing Alliance (SLSA) is the nonprofit trade association that focuses exclusively on student loan servicing issues. Our membership is responsible for servicing over 95% of all federal student loans and the vast majority of private loans, and our membership is a mix of companies, state agencies, non-profits and their service partners. Our servicer members and affiliate members provide the full range of student loan servicing

operations, repayment support, customer service, payment processing, and claims processing for tens of millions of federal and private loan borrowers across the country.