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

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

REPLY COMMENTS OF AMERICAN BANKERS ASSOCIATION, ACA INTERNATIONAL, CREDIT UNION NATIONAL ASSOCIATION, MORTGAGE BANKERS ASSOCIATION, NATIONAL ASSOCIATION OF FEDERALLY-INSURED CREDIT UNIONS, AND STUDENT LOAN SERVICING ALLIANCE TO THE NOTICE OF INQUIRY

The American Bankers Association, ACA International, the Credit Union National Association; Mortgage Bankers Association; National Association of Federally-Insured Credit Unions; and Student Loan Servicing Alliance[1] ("the Associations") submit these reply comments to the Notice of Inquiry ("NOI") in the above-captioned proceeding.[2] The Associations' opening comments urged the Federal Communications Commission ("Commission") to require operators of non-IP networks to adopt a solution that enables them to authenticate caller ID and to transmit that information from the call's origination to its delivery to the recipient as soon as practicable. The overall record supports this position. Since passage of the TRACED Act, the Commission has provided an exemption from its call authentication requirements for non-IP networks. Because of the availability of call authentication solutions for non-IP networks, the Associations respectfully request that the Commission terminate the STIR/SHAKEN exemption for non-IP networks by a date certain.

[1] A description of each trade association is listed in the Appendix.
[2] *Call Authentication Trust Anchor,* Notice of Inquiry, WC 17-97, FCC 22-81 (rel. Oct. 28, 2022) ("NOI"); *Call Authentication Trust Anchor*, Order, WC 17-97, DA 23-13 (rel. Jan. 5, 2023) (extending reply deadline).

Bad actors continue illegally to "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 number and name of a legitimate company instead of the number and 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.

The record confirms that the presence of non-IP networks significantly contributes to the problem of illegal call spoofing by hindering the full deployment of the STIR/SHAKEN call authentication framework.[3] Any non-IP network in the call chain will prevent the STIR/SHAKEN attestation from being transmitted. We agree with nearly all other commenters that ultimately the ideal solution is to transition legacy non-IP networks to IP. As Commission Chairwoman Jessica Rosenworcel stated, however, the Commission should "not just . . . wait for this [non-IP] infrastructure to be updated and eligible for STIR/SHAKEN."[4] The record supports her view. As many commenters observed, the replacement of all legacy facilities with IP-enabled networks will take time. Viable alternatives are available now, or in the near term, that enable the transport of call authentication information to the terminating provider despite the presence of non-IP networks in the call path.[5] These alternatives include implementation of the

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[3] *See, e.g.,* Iowa Network Services, Inc. D/B/A Aureon Network Services Comments at 6 ("Aureon Comments"); TelcoBridges Comments at 2; NTCA Comments at 3-4.

[4] *See In the Matter of Call Authentication Trust Anchor*, Notice of Inquiry, FCC 22-81, CG Docket No. 17-97, at 23 (Oct. 28, 2022) (statement of Jessica Rosenworcel, Chairwoman, Federal Communications Commission).

[5] *See, e.g.,* Cloud Communications Alliance Comments at 5-6; WTA Comments at 5; Aureon Comments at 7.

ATIS out-of-band or in-band standards[6] ("ATIS standards") or utilization of the public internet options recommended in the SIP Interconnection Working Group Report.[7] A number of comments also persuasively argue that the alternatives embodied in the ATIS standards are currently feasible and have already been deployed.[8]

The Associations believe that consumers and the public interest would be best served by establishing a date certain for ending the non-IP network exemption and setting a deadline by which non-IP network operators either upgrade to IP or implement an alternative solution.[9] Others, however, raise concerns that the ATIS standards are not fully operationalized and scalable and that requiring their adoption could distract from the transition to IP.[10]

The Associations disagree that these concerns warrant a "do-nothing" approach. Instead, the Commission should set a deadline for finalization of whatever operational issues, if any, remain to be addressed to enable implementation of alternative solutions. If providers would

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[6] *See, e.g.,* WTA – Advocates for Rural Broadband Comments at 4-5 ("WTA Comments") (noting that the ATIS Out-of-Band and In-Band standards are finalized and the underlying equipment and software is available); TelcoBridges Comments at 3-4 (stating that in partnership with TransNexus, TelcoBridge's session border controllers offer STIR/SHAKEN solutions for both IP and non-IP based networks per ATIS standards); TransNexus Comments at 3-4.

[7] *See*, USTelecom Comments at 8-9 (describing options from the report). *But see* NTCA – The Rural Broadband Association Comments at 9-10, 12 (arguing that the report's public internet options create new costs and service quality problems); WTA Comments at 6 (raising concerns over public internet options). The SIP Interconnection Working Group Report addressed the problem of TDM equipment in the middle of the call path that prevents transmission of call authentication information and proposed three alternatives involving transmission of the voice call over existing internet connections. The Report notes that the implementation of these options will take some time.

[8] TransNexus Comments at 3-4; TelcoBridges Comments at 3-6; WTA Comments at 5; Aureon Comments at 7; Cloud Communications Alliance Comments at 2-3;

[9] Parties have suggested various time periods to phase out the exemption and require implementation of a solution. *See* TelcoBridges Comments at 7 (recommending a one-year transition period and noting that, depending on network type and availability of resources, implementation of one of the ATIS solutions could take only a few days); Cloud Communications Alliance Comments at 5 (suggesting a June 30, 2023 deadline to coincide with the deadline for facilities-based small VoIP providers to implement STIR/SHAKEN).

[10] USTelecom Comments at 14-19; Verizon Comments at 6-7. *See also* Competitive Carriers Association Comments at 4.

prefer to transition their networks to IP instead, they should be given that option. The record, however, suggests that this transition will continue to take substantial time at least for some providers. Iowa Network Services, which enables connections between local providers and long distance companies, reports that it has been working on transitioning its switch to IP since 2015 and is now working with TransNexus to implement its ATIS-compliant out-of-band solution to fill in gaps caused by interconnecting long distance companies still using TDM facilities to connect with Iowa Network Services.[11] The Associations agree with those parties who, while preferring transitioning to IP, are also realists and acknowledge the need to close the non-IP network gap by phasing out the non-IP network exemption without waiting an indeterminate period of time to "rip and replace" non-IP equipment.[12]

USTelecom argues that Commission action is unnecessary because partial deployment of STIR/SHAKEN has already substantially reduced illegal spoofing and is protecting all consumers, even if some calls arrive without authentication information.[13] Although the Associations welcome reductions in the number of illegally spoofed calls, USTelecom's argument ignores the important role that STIR/SHAKEN information is designed to play in determining whether to block or label calls.[14] Legitimate calls that lack authentication information are more likely to be blocked or mislabeled, which undermines overall trust in the

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[11] Aureon Comments at 3-4 (describing transition process); *id* at 6-9 (noting it is working with TransNexus and describing the need for and benefits of the out of band solution). Although not part of this record, the Associations note that Verizon recently sought a waiver from or delay of certain requirements for U.S. gateway providers due to the company's continuing use of TDM switches and the length of time it would take to replace them. Verizon Petition for a Limited Waiver of Deadlines, CG Docket No. 17-59 at 4-5 (filed Dec. 16, 2022) (stating that their international gateway traffic is supported by legacy infrastructure that would take "multiple years" and costs "in the eight figure range" to replace).
[12] *See, e.g.,* WTA Comments at 5 ("If an all-IP network is not possible at this time, WTA believes that the Out-of-Band standard … is a feasible and effective solution."); Cloud Communications Alliance Comments at 5-6.
[13] USTelecom Comments at 6.
[14] *See, e.g.* ZipDX Comments at 1.

network and hinders businesses from providing important information to their customers.[15]

USTelecom's claims of progress also appear to be overstated. It claims that only a small portion of calls reach consumers unsigned.[16] That claim is belied by evidence showing the opposite; that in fact most calls reach consumers unsigned. Data collected by TransNexus shows that 75% of calls reach consumers unsigned.[17] Completion percentages are even worse for calls with the important A-level attestation. Only about 50% of calls with an A-level attestation reach consumers where networks are all IP, while only 16% reach consumers with an A-level attestation when a non-IP network is encountered.[18] The TransNexus data is supported by further anecdotal evidence in the record that the majority of calls are received unsigned.[19]

The Associations also find persuasive the argument that requiring the use of alternative solutions will not detract from ongoing efforts to transition to IP. The Associations agree with comments arguing that, instead of delaying the transition to IP, requiring the implementation of an alternative solution by a date certain may actually incentivize providers to upgrade their networks to IP so as to avoid having to implement an alternative.[20] Whether or not mandating the implementation of alternative solutions accelerates the IP transition, the failure of a substantial number of calls to reach consumers without STIR/SHAKEN information due to non-IP networks hurts consumers and the businesses they rely on for critical services.

[15] TransNexus Comments at 7; NTCA Comments at 4; WTA Comments at 3-4; Cloud Communications Alliance Comments at 2.
[16] USTelecom Comments at 4. USTelecom provides no data to support that claim other than a general reduction in TDM lines. *Id.* at 4-5.
[17] TransNexus, *STIR/SHAKEN statistics from November 2022* (Dec. 5, 2022), https://transnexus.com/blog/2022/shaken-statistics-november/.
[18] TransNexus Comments at 6-7.
[19] NCTA Comments at 1 (stating that terminating providers are still receiving billions of unsigned calls); TelcoBridges Comments at 3; Think Simplicity Inc. Comments at 1 (about 80% of incoming calls are unsinged); Carolina Digital Phone at 1 (less than 20% of calls arrive signed).
[20] WTA Comments at 1 (phasing out the non-IP network exemption "would advance the ongoing transition to the ultimate future IP network"); NTCA Comments at 21; TransNexus Comments at 8.

CONCLUSION

For the reasons set forth above, the Associations respectfully urge the Commission to remove the non-IP networks exemption and set a deadline for providers to either upgrade their networks to IP or implement an alternative solution.

Respectfully submitted,

s//Jonathan Thessin
Jonathan Thessin
Vice President/Senior Counsel
American Bankers Association
1333 New Hampshire Avenue, NW
Washington, DC 20036
(202) 663-5016

s//Leah Dempsey
Leah Dempsey
Counsel
ACA International
Brownstein Hyatt Farber Schreck, LLP
1155 F Street N.W., Suite 1200
Washington, DC 20004
(410) 627-3899

s//Elizabeth M. Sullivan
Elizabeth M. Sullivan
Senior Director of Advocacy and Counsel
Credit Union National Association
99 M Street, SE #300
Washington, DC 20003
(202) 235-3390

s//Justin Wiseman
Justin Wiseman
Vice President, Managing Regulatory Counsel
Mortgage Bankers Association
1919 M Street, NW
Washington DC 20036
(202) 557-2854

s//Ann Petros
Ann Petros
Vice President of Regulatory Affairs
National Association of Federally-Insured Credit Unions
3138 10th St. N.
Arlington, VA 22201
(703) 842-2212

s//Scott Buchanan
Scott Buchanan
Executive Director
Student Loan Servicing Alliance
2210 Mt. Vernon Avenue
Suite 207
Alexandria, VA 22301
(202) 262-8348

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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 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 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.