

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

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|--|---|---------------------|
| In the Matter of |) | |
| |) | |
| Advanced Methods to Target and Eliminate Unlawful Robocalls |) | CG Docket No. 17-59 |
| |) | |
| Call Authentication Trust Anchor |) | WC Docket No. 17-97 |

**COMMENTS OF THE AMERICAN BANKERS ASSOCIATION, ACA
INTERNATIONAL, AMERICAN FINANCIAL SERVICES ASSOCIATION,
CONSUMER BANKERS 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 EIGHTH FURTHER NOTICE OF PROPOSED
RULEMAKING IN CG DOCKET 17-59 AND THIRD NOTICE OF INQUIRY IN CG
DOCKET 17-59**

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

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

Celia Winslow
Senior Vice President
American Financial Services Association
919 18th Street, NW
Washington, DC 20006
(202) 776-7300

David Pommerehn
Senior Vice President, General Counsel
Consumer Bankers Association
1225 New York Avenue, NW, Suite 1100
Washington, DC 20005
(202) 552-6368

Elizabeth M. Sullivan
Senior Director of Advocacy and Counsel
Credit Union National Association
99 M Street, SE #300
Washington, DC 20003
(202) 503-7184

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

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

James P. Bergeron
President
National Council of Higher Education
Resources
1050 Connecticut Ave. NW
Washington, DC 20035
(202) 494-0948

Scott Buchanan
Executive Director
Student Loan Servicing Alliance
2210 Mt. Vernon Avenue
Suite 207
Alexandria, VA 22301
(202) 955-6055

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INTRODUCTION AND SUMMARY

The American Bankers Association (ABA), ACA International, American Financial Services Association, Consumer Bankers 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 Eighth Further Notice of Proposed Rulemaking (for Docket No. 17-59) and Third Notice of Inquiry (for Docket No. 17-59) (collectively, the Notice).² In the Notice, the Federal Communications Commission (Commission) proposes additional measures to combat illegal calls, seeks comment on how best to notify legitimate callers of erroneously blocked calls, and seeks comment on how frequently outbound calling numbers are erroneously labeled as “spam” or with another derogatory label, among other questions the Commission posed.

The Associations strongly support the Commission’s efforts to eliminate illegal automated calls. Banks, credit unions, and other financial services providers – and their customers – are negatively impacted by bad actors that increasingly place calls that impersonate legitimate companies with intent to defraud. These bad actors at times illegally “spoof” phone numbers belonging to our members by causing 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. We agree with the Commission that a caller ID device can be used to provide

¹ A description of each Association is in the Appendix.

² *In the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls and Call Authentication Trust Anchor*, CG Docket No. 17-59, *In the Matter of Call Authentication Trust Anchor*, CG Docket No. 17-97, Seventh Report and Order in CG Docket 17-59 and WC Docket 17-97, Eighth Further Notice of Proposed Rulemaking in CG Docket 17-59, and Third Notice of Inquiry in CG Docket 17-59 (May 19, 2023) [hereinafter, *Notice*].

confirmation to the consumer that an incoming call was not illegally spoofed. We urge the Commission to prohibit the display of data on the consumer's caller ID device when the authenticity of the incoming call cannot be adequately verified through a direct and verified relationship with the call originator.

As the Commission takes additional action to combat illegal calls, we also urge the Commission to protect the lawful and consumer-benefitting calls that our members place. Banks, credit unions, and other financial institutions place large numbers of fraud alerts, past-due notifications, and other servicing calls in a short timeframe, and these calls may have low average call duration and low completion ratios—three attributes that the Commission has suggested voice service providers and their third-party analytics service providers use to block calls based on analytics. We urge the Commission to state that these factors alone are not sufficient for a voice service provider to block calls based on “reasonable analytics” generally or to conclude that calls are “highly likely to be illegal.”

Our members report that the informational calls that they place, including fraud alerts and servicing calls, continue to be mislabeled as “spam” based on the analytics of voice service providers or their third-party analytics service providers. This can discourage customers from answering the call or lead voice service providers or third-party analytics service providers to block the call. Both of these results prevent consumers from receiving important and often time-sensitive information. The Commission's rules require voice service providers to provide immediate notification to the caller when the provider blocks a call, through a Session Initiation Protocol (SIP) or ISDN User Part (ISUP) response code.³ We urge the Commission to require

³ *In the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Fourth Report and Order, ¶¶ 49 & 52-61 (2020).

voice service providers to provide callers with the same redress options when calling numbers are mislabeled as when calls are blocked. Specifically, a provider (or its third-party service provider) should be required to provide immediate notification whenever a derogatory label is placed on a call and provide the caller with an opportunity to dispute that label.⁴

In the Notice, the Commission proposes to require all voice service providers to block calls using a “reasonable do not originate” (DNO) list—i.e., a list of phone numbers from which an outbound call is highly likely to be illegal and from which calls should not originate—and to limit the phone numbers that can be included on the DNO list to invalid, unallocated, and unused numbers, as well as numbers for which the subscriber to the number has requested blocking.⁵ We support the Commission’s proposal but caution the Commission not to expand the category of phone numbers that can be placed on a DNO list unless the agency has identified an additional category of numbers that have clear indicia that the calls were placed illegally.

We also ask the Commission to require entities blocking calls based on analytics to notify callers by using SIP Code 608 or 603+ and not by using any other code. We believe that the standard for SIP Code 603+ holds potential for providing effective notification for callers when their call is blocked, but the Commission should not provide its endorsement of this code until the code has been tested and implemented.

⁴ See *In the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Third Report and Order, ¶¶ 54-55 (2020) [hereinafter, Third Report and Order] (requiring voice service providers to investigate and resolve blocking disputes in a “reasonable amount of time and at no cost to the caller”).

⁵ Notice, *supra* note 2, ¶ 76.

ARGUMENT

I. THE COMMISSION SHOULD STATE THAT THREE SPECIFIC FACTORS – LARGE BURSTS OF CALLS IN A SHORT TIMEFRAME, LOW AVERAGE CALL DURATION, AND LOW CALL COMPLETION RATIOS – ALONE ARE NOT SUFFICIENT FOR A VOICE SERVICE PROVIDER TO BLOCK A CALL

In the Notice, the Commission proposes to require terminating providers to offer consumers “analytics-based blocking of calls that are highly likely to be illegal” on an opt-out basis without charge to consumers.⁶ Currently, the Commission permits, but does not require, terminating providers to offer this service to consumers.⁷ Previously, with respect to analytics-based blocking generally – not solely calls that are “highly likely to be illegal” – the Commission provided a “non-exhaustive list of factors” that providers should use to determine which calls may be blocked using “reasonable analytics.”⁸ Specifically, the Commission listed the following factors: (1) large bursts of calls in a short timeframe, (2) low average call duration, (3) low call completion ratios, (4) invalid numbers placing a large volume of calls, (5) common Caller ID Name values across voice service providers, (6) a large volume of complaints related to a suspect line, (7) sequential dialing patterns (i.e., calls are placed to a list of sequentially-listed numbers), (8) neighbor spoofing patterns (i.e., calls are placed to phone numbers from originating numbers that are spoofed to appear similar to the recipient’s number), (9) patterns that indicate Telephone Consumer Protection Act violations, (10) the correlation of the provider’s data with data from regulators and other providers that indicate the placement of illegal calls, and (11) the dialing of

⁶ Notice, supra note 2, ¶ 71.

⁷ 47 C.F.R. §§ 64.1200(k)(3) & (k)(11).

⁸ *In the Matter of Advanced Methods to Target and Eliminate Unlawful Robocalls and Call Authentication Trust Anchor*, CG Docket Nos. 17-59 & 1-97, Declaratory Ruling and Third Further Notice of Proposed Rulemaking, ¶ 35 (2019).

consumers' numbers that have been placed by the consumer on the National "Do Not Call" Registry.⁹

If the Commission determines to require terminating providers to offer analytics-based blocking of calls that are highly likely to be illegal, it becomes even more imperative that providers appropriately identify these calls. However, three of the attributes listed above – large bursts of calls in a short timeframe, low average call duration, and low call completion ratios – may also characterize lawful calls placed by legitimate businesses.

Large companies with hundreds of thousands or even millions of customers often place a large number of informational calls to their customers in a short timeframe. Every day, banks, credit unions, and other financial services companies place fraud, low balance, and other alerts, payment due and past-due notifications, and calls to service a customer's account. The number of calls placed in a very short timeframe can be particularly high in the event of a data breach, natural disaster, or other event that requires the institution to contact impacted customers immediately.¹⁰ These calls could be blocked by terminating providers' algorithms that identify and block "large bursts of calls" that are placed in a short timeframe.

⁹ *Id.*

¹⁰ Many of these calls may be placed by the bank in response to a customer's request. ABA previously advised the Commission that one large bank reported that 76% of its automated outbound calls and text messages are placed in response to a customer's request; for example, they are responses to one-time passcode requests or low-balance alerts. Letter from Jonathan Thessin, Am. Bankers Ass'n, to Marlene H. Dortch, Sec., Fed. Comm'n's Comm'n 1-2 (Jun. 3, 2019), <https://www.fcc.gov/ecfs/document/10604011824557/1>. An additional 5% of its automated outbound calls and texts are placed for fraud prevention purposes, such as to notify a customer of suspicious or atypical activity in the customer's account. Less than 20% of the bank's automated outbound calls and texts are related to collections. Blocking these calls harm consumers because the blocking may prevent the bank from establishing live contact with a distressed or delinquent borrower. It is well-established that the earlier a creditor is able to communicate with a financially distressed borrower, the more likely that the creditor will be able to offer the borrower a loan modification, interest rate reduction, or forbearance on interest and fees, which will help limit avoidable late fees and negative credit reports.

Similarly, when a bank, credit union, or finance company sends fraud alerts or past-due notifications, those calls may have a low average call duration because the information in those calls can be succinctly conveyed to the customer in a very short amount of time—e.g., that there is suspicious activity on the customer’s account or the customer is late in paying a bill. If the call is not answered and goes to the customer’s voicemail, the resulting voicemail left by the financial institution is likely to have a short duration too.

Calls placed by legitimate companies also may have a low call completion ratio because customers increasingly answer phone calls only from numbers that the customer recognizes. Today, third-party service providers will, for a fee, ensure the caller’s calls are “branded” with the caller’s name in the recipient’s caller ID device. For those companies that do not purchase these services, the caller’s name may not appear in the recipient’s caller ID device, and the call is less likely to be answered.

Therefore, we ask the Commission to state that the three factors listed above – large bursts of calls in a short timeframe, low average call duration, and low call completion ratios – alone are not sufficient for a voice service provider to block calls based on “reasonable analytics” generally or to conclude that calls are “highly likely to be illegal.” Instead, a provider should be required to demonstrate that another indicia of illegality is present in order to block a call based on analytics. In addition, the Commission should require blocking entities to inform companies whose legitimate calls have been blocked of the specific indicium (or indicia) of illegal calling that led to the blocking. Otherwise, organizations will not be able to determine how to avoid the blocking, nor will organizations be able to provide meaningful feedback to the Commission in the future about the success of these analytical tools.

II. THE ASSOCIATIONS SUPPORT THE COMMISSION’S PROPOSAL TO LIMIT A VOICE SERVICE PROVIDER’S “REASONABLE DO NOT ORIGINATE” LIST TO INVALID, UNALLOCATED, AND UNUSED NUMBERS, AND NUMBERS FROM WHICH THE SUBSCRIBER TO THE NUMBER HAS REQUESTED BLOCKING

In the Notice, the Commission proposes to require all voice service providers to block calls using a “reasonable do not originate” (DNO) list—i.e., a list of phone numbers from which an outbound call is highly likely to be illegal from which calls should not originate.¹¹ The Commission proposes to limit the phone numbers that can be included on the DNO list to “invalid, unallocated, and unused numbers, as well as numbers for which the subscriber to the number has requested blocking.”¹²

The Associations support the Commission’s efforts to combat illegal call spoofing, including mandating blocking of call on a reasonable DNO list. We also support the Commission’s proposal to limit the numbers that can be included on a reasonable DNO list to invalid, unallocated, and unused numbers, as well as numbers for which the subscriber to the number has requested that outbound calls purporting to be from the number be blocked (i.e., the number is used only for receiving inbound calls, and any call purporting to originate from the number represents an attempt to engage in illegal call spoofing). For calls originated from phone numbers in each of these categories, the call is highly likely to be illegal.

The Commission should not expand the category of numbers that can be placed on a DNO list unless the agency has identified an additional category of numbers that have clear indicia that the calls were placed illegally.

¹¹ *Notice*, supra note 2, ¶ 76.

¹² *Id.*

III. THE ASSOCIATIONS SUPPORT THE COMMISSION'S PROPOSALS TO REQUIRE TERMINATING AND INTERMEDIATE PROVIDERS TO BLOCK CALLS WHEN NOTIFIED BY THE COMMISSION

The Commission observes that, in the order issued simultaneously with this Notice, the Commission required originating providers to block illegal calls when notified by the Commission.¹³ The Commission expresses concern that requiring terminating and intermediate providers only to provide information regarding illegal calls when those calls traverse those providers' network—and not to block the calls—“could leave some loopholes that bad actors might attempt to exploit.”¹⁴

The Associations agree that terminating and intermediate providers—in addition to originating providers—should be required to block calls that are clearly illegal based on notification from the Commission. Therefore, we support the following actions that the Commission proposes to take:

- We support the Commission's proposal to require a terminating or non-gateway intermediate provider to block calls that traverse the provider's network if that provider, upon receipt from the Commission of a Notice of Suspected Illegal Traffic, cannot identify the upstream provider from which it received any or all of the calls.¹⁵
- We support the Commission's proposal to require terminating and non-gateway intermediate providers to block illegal calls when the Enforcement Bureau determines that it is necessary, so long as the terminating or non-gateway intermediate providers has previously received at least one Notice of Suspected Illegal Traffic.¹⁶

¹³ Notice, *supra* note 2, ¶ 80.

¹⁴ *Id.*

¹⁵ *See id.*, ¶ 81.

¹⁶ *See id.*, ¶ 86.

IV. THE COMMISSION SHOULD NO LONGER ALLOW SIP CODES 603 OR 607 TO BE USED BY VOICE SERVICE PROVIDERS TO NOTIFY CALLERS THAT THEIR CALL WAS BLOCKED AND DELAY ENDORSING SIP CODE 603+ UNTIL THE CODE HAS BEEN TESTED AND IMPLEMENTED

The TRACED Act requires the Commission to “ensure . . . robocall blocking services . . . are provided with transparency and effective redress options for . . . callers”¹⁷ We appreciate the Commission’s efforts to ensure that calls placed by legitimate businesses – such as emergency calls from public safety organizations, fraud alerts, and account-servicing calls – are not blocked and, when they are, that businesses are notified immediately of the blocking.¹⁸ In the Notice, the Commission asks whether it should require voice service providers to use standard SIP Code 603, an enhanced version of SIP Code 603 (SIP Code 603+), or SIP Code 608 to provide notification to callers when the provider has blocked the caller’s call. The Commission also seeks comment on its belief that SIP Code 607 is not an appropriate code to notify callers that their call was blocked based on the provider’s analytics.¹⁹

The Associations do not believe standard SIP Code 603 (that is, SIP Code 603 without the additional information provided by 603+) or 607 should be used by voice service providers to notify callers that their call was blocked. In 2021, the Commission issued an order that permitted

¹⁷ Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274, § 10(b) (2019).

¹⁸ The Associations have documented how time-sensitive calls have been wrongly blocked by voice service providers’ use of analytics engines. These erroneously blocked calls include emergency calls from public safety organizations, anti-fraud messages, safety recall messages, research calls on behalf of the Centers for Disease Control and Prevention, and necessary account updates and reminders needed to maintain financial health and well-being. *See Advanced Methods To Target and Eliminate Unlawful Robocalls*, Comments of Am. Bankers Ass’n *et al.*, , CG Docket No. 17-59, at 5 (Jan. 31, 2022), <https://www.fcc.gov/ecfs/search/search-filings/filing/1020198841674>; *id.*, Reply Comments of Credit Union Nat’l Ass’n *et al.*, CG Docket No. 17-59, at 4-5 (Sept. 29, 2020), <https://www.fcc.gov/ecfs/search/search-filings/filing/109290198927157> (summarizing evidence in the record of erroneous call blocking).

¹⁹ Notice, *supra* note 2, ¶¶ 90-92.

voice service providers to use standard SIP Code 603, in addition to SIP Codes 607 or 608, to satisfy the Commission’s requirement (and congressional intent, as reflected in the TRACED Act) that a provider immediately notify callers when it has blocked the caller’s call.²⁰ However, standard SIP Code 603 was designed to signal that the recipient “decline[d]” the call.²¹ Our members continue to report that, when they receive a SIP Code 603 response, the member is not able to understand whether the response code signaled that the call’s recipient declined the call or that the provider blocked the call in the network.²² Therefore, we ask the Commission not to allow voice service providers to use standard SIP Code 603 to fulfill their legal requirement to notify callers immediately when they block the caller’s call.

We agree with the Commission that SIP Code 607 is not intended to notify callers when their calls have been blocked in the network, and that voice service providers should not be allowed to use SIP Code 607 for this purpose.²³ Therefore, the Commission should revise 47 C.F.R. § 64.1200(k)(9)(i) to eliminate reference to codes 603 and 607 as appropriate codes to signify analytics-based blocking.²⁴

We continue to believe that SIP Code 603+, as defined by the ATIS/SIP Forum Joint Standard, holds potential for providing effective notification for callers when their call is

²⁰ *Advanced Methods To Target and Eliminate Unlawful Robocalls*, Fourth Report and Order, CG Docket No. 17-59, 86 Fed. Reg. 17,726, 17,729-30 (2021).

²¹ Internet Engineering Task Force, *SIP: Session Initiation Protocol* 191 (2002), <https://datatracker.ietf.org/doc/html/rfc3261#page-192>.

²² See, e.g., *Advanced Methods To Target and Eliminate Unlawful Robocalls*, Partial Opp. & Comments of the Am. Bankers Ass’n *et al.* to the Pet. for Recons. & Request for Clarification of USTelecom, CG Docket No. 17-59 (Jun. 4, 2021), <https://www.fcc.gov/ecfs/document/1060525288384/1>.

²³ See Internet Engineering Task Force, RFC 8197, *A SIP Response Code for Unwanted Calls* 1 (2017), <https://tools.ietf.org/html/rfc8197> (SIP Code 607 Specification);

²⁴ 47 C.F.R. 64.1200(k)(9) provides that any terminating provider blocking calls based on analytics must, either itself or through a third-party blocking service, immediately return a blocking notification using, in the case of IP networks, SIP codes 603, 607 and 608.

blocked.²⁵ The standard requires use of the phrase “Network Blocked,” in the first line of notification, called the status line, rather than the 603 reason “Decline.”²⁶ The standard for 603+ also includes the contact information of the entity responsible for blocking the call.²⁷ On its face, the standard appears to provide the requisite information for meaningful notification. Nonetheless, we urge the Commission not to endorse SIP Code 603+ until that code has been tested and implemented. We are eager for SIP Code 603+ to be tested but, to our knowledge, no business that places calls has tested the code.

V. THE COMMISSION SHOULD REQUIRE VOICE SERVICE PROVIDERS AND THEIR THIRD-PARTY ANALYTICS SERVICE PROVIDERS TO PROVIDE NOTIFICATION TO CALLERS OF A DEROGATORY LABEL AND AN OPPORTUNITY TO DISPUTE THE LABEL

In the Notice of Inquiry, the Commission seeks information on the current state of call labeling – i.e., on the practice by voice service providers and their third-party analytics service providers to label calls, such as “fraud or “scam,” in the call recipient’s Caller ID display.²⁸ As described below, our members’ outbound calling numbers—used to place lawful, consumer-benefitting calls—continue to be mislabeled as “spam” or other derogatory label. We urge the Commission promptly to initiate a notice of proposed rulemaking to require voice service providers and their third-party analytics service providers to provide real-time notification to callers of a derogatory label and an opportunity to dispute the label.

²⁵ Robocall Call Blocking Notification, ATIS-100099, at 1, https://access.atis.org/apps/group_public/download.php/67424/ATIS-1000099.pdf.

²⁶ *Id.*

²⁷ *Id.* at 2.

²⁸ *Notice, supra* note 2, ¶¶ 110-12.

Each of the major voice service providers (and some smaller providers) partners with a third-party analytics service provider.²⁹ Under these arrangements, the voice service provider may attach a label to the call based on the third-party service provider’s determination, such as “spam” or “fraud,” or it may direct the third-party service provider to place labels on calls to recipients who are customers of the provider. Customers are likely to choose not to answer a call that is labeled as spam, fraud, or other derogatory label.³⁰ In some instances, the voice service provider may block calls from a number that is labeled with a derogatory term. Therefore, the mislabeling of an outbound calling number can significantly impair a lawful company’s ability to communicate with its customers. Moreover, the customer is harmed by being misled into believing what may be a critical informational call is spam or a scam call.

The Commission sought comment in 2020 on whether to require terminating providers that label calls based on analytics or other factors to provide “transparency and effective redress for mislabeled calls in order to prevent potential harm to legitimate callers” and, if so, what redress the Commission should require.³¹ In response, the Associations reported that many of our members experience the mislabeling of their outbound calling numbers and difficulty identify and remedying the mislabeling.³²

²⁹ As the Commission observed in its 2020 report on call blocking, AT&T partners with Hiya; T-Mobile partners with First Orion; Sprint, U.S. Cellular, Verizon, and other Voice Service Providers partner with TNS; and CenturyLink, Cox, and Comcast offer their customers a third-party call-blocking program from Nomorobo. Report, Fed. Comm’n Comm’n, Cons. & Gov’t Affairs Bureau, Call Blocking Tools Now Substantially Available to Consumers: Report on Call Blocking, CG Docket No. 17-59, at 10-11 (2020), <https://docs.fcc.gov/public/attachments/DOC-365152A1.pdf>.

³⁰ See Third Report and Order, *supra* note 4, ¶ 5 n.8 (noting that consumers only answer calls 9% of the time if labeled spam).

³¹ *Id.*, ¶ 109 (2020).

³² See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Comment of Am. Bankers Ass’n *et al.*, CG Docket No. 17-59, at 9 (Aug. 31, 2020), <https://www.fcc.gov/ecfs/document/109010104430742/1>.

The problems with mislabeled calls that we reported in 2020 persist to this day. For example, within the past two months, two large ABA members reported that their servicing (i.e., informational) calls were being mislabeled as “spam.” One of the banks reported that the outbound number used by the bank to place fraud alert calls was mislabeled as spam because the bank called customers up to three times per day. When the bank appealed the label, the major voice service provider that applied the label denied the bank’s appeal. The second bank reported that many of its outbound numbers used to place servicing calls—numbers used for distinct purposes, including for fraud alerts, collections-related calls, and calls to complete a loan application—are regularly mislabeled as spam when the number is used to place multiple calls to the same customer in a single day.

ACA members similarly report that their legitimate calls are routinely mislabeled. Some members have hired companies to track their calls to determine if they have been mislabeled and then work with the labeling entity to try to remove the label. One ACA member reported that, thus far in 2023, 19% of the phone numbers that the company uses to place outbound calls have been mislabeled as spam and made unavailable for the company to use by the voice service provider imposing the label. For ACA members, the application of a label to a call poses risk of disclosing the existence of debts to third parties, which could be a violation of the Fair Debt Collection Practices Act.

The Commission should initiate a proceeding that proposes to require voice service providers to provide callers with the same redress options when calling numbers are mislabeled as when calls are blocked. Specifically, a provider (or its third-party service provider) should be required to provide notification whenever a derogatory label is placed on a call, provide a status

update of the label within 24 hours of the caller's disputing the label, and remove the label immediately upon a credible showing that the call is legitimate.

VI. THE COMMISSION SHOULD PROHIBIT THE DISPLAY OF A CALLER'S INFORMATION ON THE CONSUMER'S CALLER ID DEVICE WHEN THE AUTHENTICITY OF THE CALL CANNOT BE ADEQUATELY VERIFIED

The Commission seeks comment on whether it can increase consumers' trust in the information displayed in their caller ID device by providing confirmation that the call was not illegally spoofed.³³ The Associations agree that consumers and callers would benefit if the information displayed in the consumer's caller ID device conveyed whether the call was illegally spoofed.³⁴ Specifically, when the authenticity of calls cannot be adequately verified through a direct and verified relationship with the call originator, we urge the Commission to prohibit the display of data on the consumer's caller ID device. Only those calls that demonstrate a verified relationship between the originating provider and the call originator should be allowed to display any data in the caller ID device. This approach would let call recipients know whether the caller has a verified relationship with its originating provider, provide a strong incentive for legitimate callers to seek A-level attestation, and discourage bad actors from placing calls.

CONCLUSION

The Associations strongly support the Commission's efforts to combat illegal calls while at the same time protecting the lawful and consumer-benefitting calls that our members place.

³³ *Notice, supra* note 2, ¶ 96.

³⁴ The Associations first suggested that the Commission restrict the display of information in the recipient's caller ID device if the authenticity of the call cannot be verified. See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Comments of Am. Bankers Ass'n et al., CG Docket Nos. 17-59, 17-97, at 8 (Sept. 16, 2022), <https://www.fcc.gov/ecfs/document/10917091207030/1>.

We appreciate the Commission's consideration of the feedback provided in this Comment and are available to respond to the Commission's questions.

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//Celia Winslow

Celia Winslow
Senior Vice President
American Financial Services Association
919 18th Street, NW
Washington, DC 20006
(202) 776-7300

s//David Pommerehn

David Pommerehn
Senior Vice President, General Counsel
Consumer Bankers Association
1225 New York Avenue, NW, Suite 1100
Washington, DC 20005
(202) 552-6368

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//James P. Bergeron

James P. Bergeron
President
National Council of Higher Education
Resources
1050 Connecticut Ave. NW #65793
Washington, DC 20035
(202) 494-0948

s//Scott Buchanan
Scott Buchanan
Executive Director
Student Loan Servicing Alliance
2210 Mt. Vernon Avenue
Suite 207
Alexandria, VA 22301
(202) 955-6055

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APPENDIX

The American Bankers Association is the voice of the nation's \$23.7 trillion banking industry, which is composed of small, regional and large banks that together employ more than 2.1 million people, safeguard \$18.7 trillion in deposits and extend \$12.2 trillion in loans.

ACA International represents approximately 1,700 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 Consumer Bankers Association is the only national financial trade group focused exclusively on retail banking and personal financial services—banking services geared toward consumers and small businesses. As the recognized voice on retail banking issues, CBA provides leadership, education, research, and federal representation for its members. CBA members include the nation's largest bank holding companies as well as regional and super-community banks that collectively hold two-thirds of the total assets of depository institutions.

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 135 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 137 million consumers with personal and small business financial service products. NAFCU provides members with representation, information, education, and assistance to meet the constant challenges that cooperative financial institutions face in today's hyper-regulated market. NAFCU proudly represents many smaller credit unions with 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 and 62 percent of all federally-insured credit union assets. 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.

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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.