

# TCPA Regulatory Update — FCC Releases Draft of STIR/SHAKEN Mandate; Reviewing Comments on Robocall Mitigation Public Notices

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Although FCC staff is working remotely this month, progress on robocall mitigation continues. On March 10, the FCC released a [Report and Order and Further Notice of Proposed Rulemaking Mandating STIR/SHAKEN and Proposing Additional Measures to Combat Illegal Spoofing](#) to be voted on at the Commission's March Open Meeting. Chairman Pai has warned voice service providers of a possible STIR/SHAKEN mandate since as early as 2018, stating that the FCC would "take action" if it determined carriers were not doing enough to fight robocalls. Although large voice service providers have adopted STIR/SHAKEN authentication protocols and have even begun exchanging signed calls across networks, adoption by smaller and rural voice service providers is lagging. And Congress has also intervened by passing the [TRACED Act](#), which, among other things, directs the FCC to do what the Chairman threatened in 2018.

If adopted, the Order would mandate that all originating and terminating voice service providers implement the STIR/SHAKEN caller ID authentication framework in the IP portions of their networks by June 30, 2021, consistent with the deadline in the TRACED Act. In addition, the Further Notice of Proposed Rulemaking ("FNPRM") would propose to extend the STIR/SHAKEN implementation mandate to intermediate providers. The FNPRM would also seek to implement other provisions of the TRACED Act. Specifically, it would:

- Grant an extension for compliance with the STIR/SHAKEN implementation mandate for small voice service providers so long as those providers implement a robocall mitigation program.
- Require voice service providers using non-Internet Protocol ("IP") technology to either (i) upgrade their networks to IP to enable STIR/SHAKEN implementation, or (ii) work to develop non-IP caller ID authentication technology and implement a robocall mitigation program in the interim.
- Establish a process by which a voice service provider may be exempt from the STIR/SHAKEN implementation mandate if the provider has achieved certain implementation benchmarks.
- Prohibit voice service providers from imposing additional line item charges on consumers and small businesses for caller ID authentication.

The FCC has already set comment and reply comment deadlines for the item at May 15 and May 29, respectively.

The FCC is also reviewing comments submitted in response to Public Notices on other robocall mitigation issues. As we [reported last month](#), a large number of diverse stakeholders submitted comments in response to the Consumer and Governmental Affairs Bureau's request for comments to inform the Bureau's First Staff Report on Call Blocking.

Voice service providers large and small have also been responding to a letter from the Consumer and Governmental Affairs Bureau asking them for an update on their efforts to deploy STIR/SHAKEN authentication protocols. The information provided by voice service providers in these letters, in many cases, overlapped with the comments submitted on the First Staff Report on Call Blocking. Although large voice service providers generally reported implementing STIR/SHAKEN on their networks and exchanging signed and authenticated traffic with other providers, some smaller voice service providers expressed vendor, interconnection, and other challenges that were delaying the deployment of STIR/SHAKEN on their networks. Responses to these letters likely informed the FCC's decision to impose the STIR/SHAKEN mandate discussed above.

Finally, supplementing the comments the Commission received last month on the Technical Requirements Document for the Reassigned Numbers Database, the Wireline Competition Bureau and

Consumer and Governmental Affairs Bureau released a Public Notice seeking comment on recommendations recently approved by the North American Numbering Council on funding the creation costs for the Reassigned Numbers Database, and the fee structure for querying it once it is set up. Only a handful of parties submitted comments by the March 11 deadline. Comments emphasized pricing the database in a way that does not discourage its use and supported a safe harbor for callers who checked the Reassigned Numbers Database, but received inaccurate information. The FCC will also have to consider how to treat calls for which the Database issues a “no data” response.

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