

**Certification of Eligibility for Exemption
from Caller ID Authentication Implementation Mandate**

October 2020

SUPPORTING STATEMENT

This new information collection is being submitted to obtain emergency approval from the Office of Management and Budget (OMB) for new information collection requirements due to a recent Federal Communications Commission (Commission or FCC) Order, as explained below.

The Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence (TRACED) Act obligates the Commission to, by December 30, 2020, exempt voice service providers that meet certain caller ID authentication implementation benchmarks from the implementation mandate established in the TRACED Act. To determine which voice service providers meet these criteria, the Commission establishes this collection to permit voice service providers voluntarily to certify that they satisfy the criteria. *See Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, FCC 20-136 (adopted Sept. 29, 2020).

A. Justification

1. *Circumstances that make the collection necessary.* On December 30, 2019, Congress enacted the TRACED Act. Among other provisions, the TRACED Act directs the Commission to require, no later than 18 months from enactment, all voice service providers to implement STIR/SHAKEN in the IP portions of their networks and implement an effective caller ID authentication framework in the non-IP portions of their networks. Section 4(b)(2) of the TRACED Act requires the Commission to free a voice service provider from this obligation if the Commission determines, by December 30, 2020, that the provider: (A) in its IP networks (i) “has adopted the STIR/SHAKEN authentication framework for calls on the [IP] networks of the provider of voice service; (ii) has agreed voluntarily to participate with other providers of voice service in the STIR/SHAKEN authentication framework; (iii) has begun to implement the STIR/SHAKEN authentication framework; and (iv) will be capable of fully implementing the STIR/SHAKEN authentication framework not later than [June 30, 2021]”; and (B) in its non-IP networks (i) “has taken reasonable measures to implement an effective call authentication framework; and (ii) will be capable of fully implementing an effective call authentication framework not later than [June 30, 2021].”

On March 31, 2020, the Commission adopted its *Call Authentication Trust Anchor, Implementation of TRACED Act Section 6(a)—Knowledge of Customers by Entities with Access to Numbering Resources Report and Order and Further Notice of Proposed Rulemaking*. In the *Further Notice*, the Commission sought comment on its proposed rules implementing section 4(b)(2) of the TRACED Act which would allow voice service providers which meet certain criteria to receive a voluntary STIR/SHAKEN implementation exemption. The Commission proposed using a certification process to implement this section of the TRACED Act, and sought comment on that approach. The Commission proposed concluding that “a certification process is necessary to allow us to meet Congress’s deadline for completion of exemption determinations by December 30, 2020.”

On September 29, 2020, the Commission adopted its *Call Authentication Trust Anchor Second Report and Order*. The *Second Report and Order* implemented section 4(b)(2) of the TRACED Act by establishing two exemptions: one exemption for a voice service provider’s IP networks if it meets all four statutory criteria for all calls it originates or terminates in SIP, and one exemption for a voice service provider’s non-IP networks if it meets both statutory criteria for all non-SIP calls it originates or terminates. The *Second Report and Order* also established the certification

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process that the Commission proposed in the *Further Notice*, reiterating its necessity in permitting the Commission to meet the TRACED Act's statutory deadline.

New requirements for which we are seeking OMB approval:

Under the newly adopted rules, for a voice service provider to receive the IP exemption, it must certify to the Commission, via the Electronic Comment Filing System (ECFS), that it (i) has undertaken the network preparations necessary to deploy the STIR/SHAKEN protocols on its network, including, but not limited to, participation in test beds and lab testing, or completion of commensurate network adjustments to enable the authentication and validation of calls on its network consistent with the STIR/SHAKEN framework; (ii) has completed formal registration (including payment) and testing with the Secure Telephone Identity Policy Administrator (STI-PA); (iii) has completed the necessary network upgrades to at least one network element to enable the authentication and verification of caller ID information consistent with the STIR/SHAKEN standards; and (iv) reasonably foresees that it will have completed all necessary network upgrades to its network infrastructure to be able to authenticate and verify caller ID information for all SIP calls exchanged with STIR/SHAKEN-enabled partners by June 30, 2021.

For a voice service provider to receive the non-IP exemption, it must certify to the Commission, via the Electronic Comment Filing System (ECFS), that it (i) is working to develop a non-IP authentication solution; and (ii) reasonably foresees that it will have completed all necessary network upgrades to its infrastructure to be able to authenticate and verify caller ID information for all non-IP calls originating or terminating on its network as provided by a standardized caller ID authentication framework for non-IP networks.

Statutory authority for this information collection is contained in 47 U.S.C. § 227b.

This information collection does not affect individuals or households; thus, there is no impact under the Privacy Act.

2. *Use of information.* The Commission will use the information to determine which voice service providers are eligible for an exemption from the caller ID authentication implementation mandate.
3. *Technology collection techniques.* All submissions will be made electronically in the Commission's Electronic Comment Filing System (ECFS).
4. *Efforts to identify duplication.* This will be the first time that voice service providers will be permitted to certify whether they meet the specified implementation benchmarks. The information to be collected is unique to each voice service provider, and there are no similar collection requirements.
5. *Impact on small entities.* Any voice service provider, including small voice service providers, that desires an exemption from the caller ID authentication implementation mandate must certify that it meets the specified implementation benchmarks in order to receive such an exemption. Given the low expected burden of the certification, and the fact that it is a voluntary collection, the Commission anticipates that the impact on small entities will be minimal.

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6. *Consequences if information is not collected.* The information collected will be used to determine which voice service providers are eligible for a statutory exemption from the caller ID authentication implementation mandate. If the information is not collected, the Commission will be unable to meet its statutory deadline to determine which providers it must exempt pursuant to the TRACED Act.
7. *Special circumstances.* We do not foresee any special circumstances with this information collection.
8. *Federal Register notice; efforts to consult with persons outside the Commission.* Emergency approval is being sought for this information collection, and the Commission seeks waiver of the 60-day notice requirement because of the statutory deadline of December 30, 2020. The Commission will publish a 21-day notice, announcing submission of this emergency request and seeking comment on the request, and will conduct all the regular OMB clearance processes and procedures upon approval of the emergency request.
9. *Payments or gifts to respondents.* The Commission does not anticipate providing any payment or gifts to respondents.
10. *Assurances of confidentiality.* The Commission will consider the potential confidentiality of any information submitted, particularly where public release of such information could raise security concerns (e.g., granular location information). Respondents may request materials or information submitted to the Commission or to the Administrator be withheld from public inspection under 47 C.F.R. § 0.459 of the Commission's rules.
11. *Questions of a sensitive nature.* There are no questions of a sensitive nature with respect to the information collection described herein.
12. *Estimates of the hour burden of the collection to respondents.* The following represents the hour burden on the collection of information:
 - (1) Number of Respondents: Approximately 817 voice service providers.
 - (2) Frequency of Response: One-time reporting requirement.
 - (3) Total number of responses per respondent: 1.
 - (4) Estimated time per response: 3 hours.
 - (5) Total hour burden: 2,451 hours.

3 hours per response for 817 voice service providers. Total annual hour burden is calculated as follows:

817 respondents x 1 response per respondent = 817 responses x 3 hours = **2,451 total hours.**

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(6) Total estimate of in-house cost to respondents: \$136,643.25 (2,451 hours x \$55.75/hr.).

(7) Explanation of calculation: We estimate that each voice service provider will take, on average, 3 hours per response. We estimate that respondents use mid- to senior-level personnel to comply with the requirements comparable in pay to the Federal Government, approximately \$55.75 per hour (equivalent to a GS 13, step 5 federal employee).

817 (number of responses) x 3 (hours to prepare response) x \$55.75/hr. = \$136,643.25

Total Number of Respondents: 817 unique respondents.

Total Number of Responses: 817

Total Hourly Burden: 2,451

Total In-House Costs to Respondents: \$136,643.25

13. *Estimates for the cost burden of the collection to respondents.* The Commission believes that voice service providers have sufficient “in-house” staff to address all the information collection requirements using their “in-house” personnel rather than having to contract out this requirement. Thus:

(a) Total annualized capital/startup costs: \$0.00

(b) Total annualized costs (O&M): \$0.00

(c) Total annualized cost requested: \$0.00

14. *Estimates of the cost burden to the Commission.* Costs to the Commission will be minimal because the responses will be filed in the Commission’s pre-established Electronic Comment Filing System (ECFS), which it already uses to receive other filings from third parties, e.g., comments and *ex parte* filings.

15. *Program changes or adjustments.* The Commission is reporting program changes/increases to this new information collection. These increases to the total number of respondents of +817, total annual responses of +817 and total annual burden hours of +2,451 will be added to OMB’s Active Inventory.

16. *Collections of information whose results will be published.* The certifications from the voice service providers will be published to the public on the Electronic Comment Filing System upon filing, and the Commission will make a determination as to which voice service providers are exempt from the caller ID authentication implementation mandates in a Public Notice no later than December 30, 2020.

17. *Display of expiration date for OMB approval of information collection.* There is no paper form associated with this information collection; it will be collected electronically through the Electronic Comment Filing System (ECFS). The Commission publishes a list of all OMB-approved information collections including their titles, OMB Control Numbers and OMB expiration dates in 47 CFR 0.408 of the Commission’s rules.

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18. *Exceptions to certification for Paperwork Reduction Act submissions.* There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.