

FCC Proposes Requiring Caller Identification for Authenticated Voice Calls

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As part of its effort to combat robocalls, the US Federal Communications Commission (FCC) has opened a new rulemaking to consider whether and how to require companies carrying those calls to provide information identifying the calling party to the person receiving the call.

The proposed rules for telecommunications companies would affect the information that must be transmitted with calls under the existing rules requiring telecommunications providers that originate voice calls to authenticate the calls before transmitting them. Any telecommunications company transmitting a voice call that has received the highest level of authentication (known as A-level authentication) would be required to transmit both the authentication information and information about the calling party's identity along with the call. If the company that delivered the call to its destination provided authentication information to the party receiving the call, it would be required to provide the calling party identification information as well.

The proposed rules build on orders adopting technical solutions intended to help identify and block illegal robocalls that, among other tactics, use fake telephone numbers to hide their origin, a practice known as spoofing. The proposed rules are intended to give customers receiving calls more information about who is calling them so they can decide whether to answer. The FCC also has proposed requiring telecommunications companies to provide information on the origin of calls that come from other countries and to allow carriers to use that information in determining whether a call is spam.

These rules would require companies that originate and transmit calls to make changes in their network operations to capture and send the caller identification and country of origin information. However, if the FCC adopted the rule as proposed, the caller identification requirement would have limited impact initially because many companies do not transmit authentication information to their customers.

The rulemaking recognizes that many elements of the proposal are not fully defined. The open issues include:

- When the rules would go into effect.
- The specific mechanisms for providing caller identification information, including how to verify the identity of the calling party.
- The interaction between call identification requirements and the operations of telecommunications relay service providers.
- How to identify where non-US calls originate, what information to provide about foreign calls and how to address situations in which US numbers are used for legitimate calls from outside the country.
- The costs of implementing the proposed rules and the extent to which those costs are affected by specific requirements or approaches to implementation.

Comments and reply comments on the notice will be due 30 and 60 days, respectively, after it is published in the Federal Register, which may be delayed by the continuing effects of the federal government shutdown.

Cooley professionals can assist in determining the potential impacts of the proposed rules and in responding to the notice of proposed rulemaking.

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