

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Implementation of the Middle Class Tax Relief and Job Creation Act of 2012)	CG Docket No. 12-129
)	
Establishment of a Public Safety Answering Point Do-Not-Call Registry)	
)	
Enhancing Security of Public Safety Answering Point Communications)	PS Docket No. 21-343

COMMENTS OF APCO INTERNATIONAL

The Association of Public-Safety Communications Officials-International, Inc. (APCO),¹ offers the following comments in response to the Further Notice of Proposed Rulemaking (FNPRM) in the above-captioned proceeding.² The Commission seeks comment on steps to implement Section 6507 of the “Middle Class Tax Relief and Job Creation Act” that required the Commission to, among other things, “initiate a proceeding to create a specialized Do-Not-Call registry” for emergency communications centers (ECCs) to protect them from unwanted or illegal robocalls (also known as “autodialed calls”).³ As the Commission notes, autodialed calls can present significant issues by “[tying] up public safety lines, divert[ing] critical responder

¹ Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 35,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including 9-1-1 Emergency Communications Centers (ECCs), emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies.

² Implementation of the Middle Class Tax Relief and Job Creation Act of 2012, Establishment of a Public Safety Answering Point Do-Not-Call Registry, Enhancing Security of Public Safety Answering Point Communications, CG Docket No. 12-129, PS Docket No. 21-343, *Further Notice of Proposed Rulemaking*, FCC 21-108 (Oct. 1, 2021) (“FNPRM”).

³ Middle Class Tax Relief and Job Creation Act, 47 U.S.C. § 1473 (2012).

resources from emergency services, and imped[ing] the public's access to emergency lines.”⁴

APCO appreciates the Commission's efforts to identify methods for service providers to protect ECCs from these disruptive calls.

The Commission seeks comment on the extent to which autodialed calls pose a problem for ECCs.⁵ The extent of the problem varies, impacting both emergency and administrative lines. The variation between ECCs may be partially due to differences in state laws restricting calls from autodialers, but the extent of the problem also varies within individual states. For some ECCs, autodialed calls may constitute ten percent or more of total call volume and may be comparable to accidental calls from non-service initialized devices and service initialized devices with shortcuts that are producing a problematic number of accidental calls to 9-1-1.⁶

APCO supports the Commission's decision to reassess how best to protect ECCs from autodialed calls.⁷ As an alternative to providing autodialer operators with access to a Do-Not-Call registry, the Commission proposes that voice service providers block autodialed calls to ECCs listed on the registry.⁸ APCO agrees that granting autodialer operators direct access to a centralized database of ECC phone numbers poses security concerns. A centralized database of ECC phone numbers poses security concerns wherever it is maintained, but the service providers are equipped to provide the call blocking function and safeguard sensitive ECC information. Given the public safety concerns a centralized database of ECC phone numbers presents, the Commission should ensure service providers implement appropriate security measures to prevent

⁴ FNPRM at para. 12 (citing Implementation of the Middle Class Tax Relief and Job Creation Act of 2012, Establishment of a Public Safety Answering Point Do-Not-Call Registry, CG Docket No. 12-129, Report and Order, 27 FCC Rcd 13615 at 13616, para. 2 (2012)).

⁵ *Id.* at para. 13.

⁶ APCO recommends that, in analyzing options for protecting ECCs from autodialed calls, the Commission consider how these approaches might be implemented to address these other types of problematic calls that likely place a more significant burden on ECCs.

⁷ FNPRM at para. 10.

⁸ *Id.* at para. 15.

unauthorized disclosures of registered numbers.⁹ Confidence that service providers will keep ECCs' information secure will increase the likelihood that ECCs participate in the Do-Not-Call registry. APCO looks forward to reviewing comments regarding how to divide responsibility for blocking robocalls among service providers and how to address security concerns, as well as other issues such as how to ensure the numbers used for the blocking process are accurate¹⁰ and additional mechanisms service providers could employ.

ECCs should have discretion over which of its phone numbers should be included in the Do-Not-Call registry. The Commission asks whether there are situations in which ECCs may wish to receive autodialed calls and, if so, whether call blocking requirements should be limited to non-emergency calls only.¹¹ While this situation is likely rare, it would not be the only reason to ensure an ECC is able to decide which of its numbers are protected from autodialed calls. ECCs may also have different setups with regard to emergency, backup, and administrative lines that dictate different preferences for blocking autodialed calls.

APCO supports requiring service providers to report the number of autodialed calls to ECCs that are blocked.¹² A simple process should also be established for ECCs to report autodialed calls that bypass the service providers' protections. This information will provide a greater understanding of the efficacy of call blocking mechanisms and will be helpful for developing measures to better protect ECCs.

Finally, the Commission asks what steps ECCs might take to protect themselves from autodialed calls.¹³ APCO cautions against shifting responsibility from service providers to ECCs.

⁹ *Id.* at para. 19

¹⁰ Imposing a requirement on autodialer operators to update their information within a certain number of days might not be sufficient for ensuring the accuracy of the registry. Service providers must have processes in place to ensure consumers who are assigned a former autodialer number do not have their calls to 9-1-1 blocked.

¹¹ FNPRM at para. 18.

¹² *Id.* at para. 21.

¹³ *Id.* at para. 34.

A centralized approach that builds upon service providers' responsibility to support emergency communications would have economies of scale and other advantages over relying upon individual ECCs to implement solutions.

Respectfully submitted,

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