

Bipartisan Robocall Issue Draws Contrasting Response in U.S. Senate

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Senate Democrats Urge FCC to Strengthen the Rules to Limit Robocalls; Senate GOP Seeks Leniency for Robocallers

WASHINGTON - Seven Republican Senators, led by Senator John Thune of South Dakota, sent a letter to the Federal Communications Commission (FCC) urging changes to the Telephone Consumer Protection Act (TCPA) that would allow Wall Street banks, payday lenders, retailers, and other large businesses to robocall consumers' cell phones with impunity. The GOP Senators' letter stands in contrast to a recent letter to the FCC from 15 Democratic Senators and one Independent, led by Senator Ed Markey of Massachusetts, who urged stronger rules to stop all unwanted robocalls and hold bad corporate actors accountable.

"Robocalls are universally disliked by voters, and stopping abusive and unwanted calls is truly a bipartisan issue," **said Margot Saunders, senior counsel at the National Consumer Law Center.** "While senators from both parties acknowledge the pervasive nature of robocalls, it is disappointing to see the GOP senators' letter urge the FCC to dial back consumer protections at a time when they are so desperately needed."

According to the YouMail Robocall Index, which tracks the volume and extent of robocalls in the United States, 4.1 billion robocalls were made to numbers nationwide in June of this year alone.

At issue is the TCPA's definition of an automated dialing system (autodialer) and the prohibition on autodialed robocalls to cell phones without prior consent. A recent decision from the U.S. Court of Appeals for the District of Columbia in *ACA International v. FCC* set aside the FCC's current autodialer definition deeming it too broad. The court ordered the FCC to revisit its definition and the Commission turned to the public for comment.

A chorus of corporations and their Washington lobbyists, including the Student Loan Servicing Alliance and the Community Bankers Association, urged the FCC to water down its "autodialer" definition so that virtually none of the modern equipment and software used to autodial robocalls would be covered. They also hope to nix the prohibition against autodialed calls and texts to cell phones without the consumer's consent, and strip consumers of the right to tell the robocallers to stop calling.

"Lawmakers of all political stripes should be firmly opposed to rule changes that would lead to more unwanted robocalls," **Saunders added.** "Instead of unity on the issue, we see division, as Democratic senators seek to defend consumer protections while top-ranking GOP senators echo robocalling industry talking points."

For more information and for tips on how consumers can stop robocalls, visit NCLC's Robocalls & Telemarketing page.