

Congress of the United States
Washington, DC 20515

November 17, 2015

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Dear Chairman Wheeler:

The inclusion of Section 301 in the recently passed budget bill potentially opens the door to unwanted robocalls and texts to the cell phones of student loan borrowers, mortgage borrowers, veterans, farmers, taxpayers, and others with debt owed to or backed by the federal government. The provision might also allow robocalls and texts without consent to the cell phones of borrowers' relatives and their references, as well as any unrelated person who has the reassigned cell phone number of these parties.

The Federal Communications Commission (FCC) has the authority to limit much of the potential harm that could result from this unfortunate provision. We urge that the Commission use its regulatory authority to accomplish several important consumer protection objectives:

1. The FCC should issue an immediate pronouncement stating that no calls can be made pursuant to Section 301, *until* the FCC finalizes regulations required by the provision.
2. The regulations should limit the calls to those made just to debtors for the explicit purpose of collecting on defaulted debt. This provision should not be the excuse for calls to people associated with debtors, which are an invasion of the privacy of both the debtor, and the called party, and intrusive and potentially expensive for non-debtor called parties.
3. Consistent with the FCC's July 2015 Omnibus Order, calls to reassigned numbers should be strictly limited, as they are not actually calls to the debtors.
4. The regulations, as explicitly mandated by the provision, should clearly hold callers to strict limits on the number and duration of calls and the persons to whom the calls are made. The FCC should work closely with the Consumer Financial Protection Bureau (CFPB) to develop a coordinated approach on the limited number of calls permitted pursuant to Section 301.
5. All callers should be required to cease calls as soon as any called parties request that the calls stop.

When Congress passed the Telephone Consumer Protection Act (TCPA) of 1991, the goal was clear: whether at home or on their mobile phones, consumers should not be subject to intrusive and unsolicited calls from telemarketers. Nearly 25 years after the enactment of the TCPA, it is clear that consumers have benefited from the law's protections. By banning auto dialing and pre-recorded calls to land lines and mobile phones, with certain exceptions, and establishing the


National Do Not Call Registry, the law created a zone of privacy that is highly valued by consumers to this day.

We urge you to consider the important role the Commission has in protecting the convenience and privacy that the TCPA has provided for more than two decades. These protections should continue for years to come. Calls from debt collectors, even for debts owed to or guaranteed by the federal government, should be closely limited to further the goals of the TCPA.


Sincerely,



Edward J. Markey
United States Senator

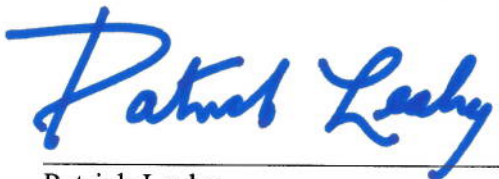

Suzanne Bonamici
Member of Congress

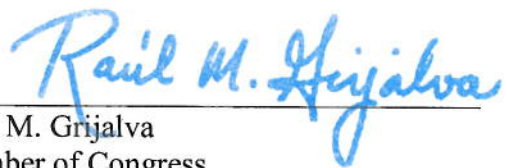

Bill Nelson
United States Senator



Anna G. Eshoo
Member of Congress

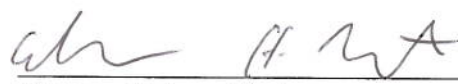

Robert Menendez
United States Senator


Frank Pallone, Jr.
Member of Congress


Patrick Leahy
United States Senator

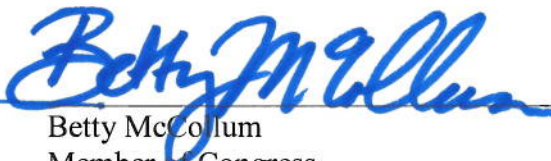

Raúl M. Grijalva
Member of Congress


Bernard Sanders
United States Senator

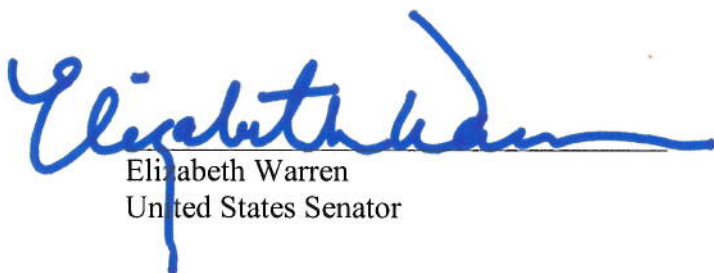

Eleanor Holmes Norton
Member of Congress



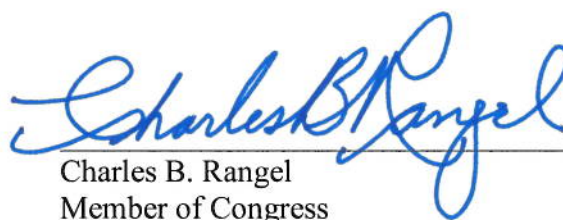
Al Franken
United States Senator



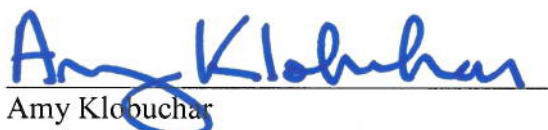
Betty McCollum
Member of Congress



Elizabeth Warren
United States Senator



Charles B. Rangel
Member of Congress



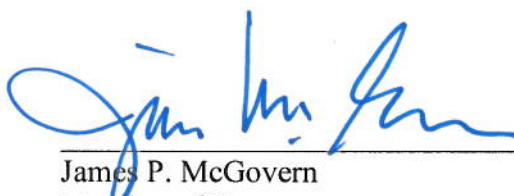
Amy Klobuchar
United States Senator



Mark Pocan
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Ron Wyden
United States Senator



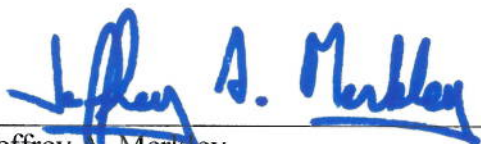
James P. McGovern
Member of Congress



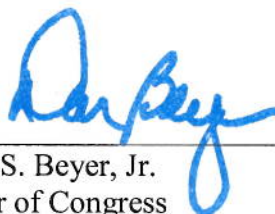
Richard Blumenthal
United States Senator



Alan Grayson
Member of Congress



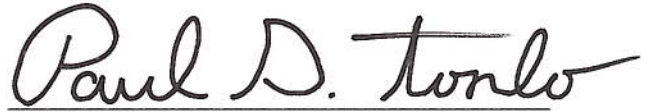
Jeffrey A. Merkley
United States Senator



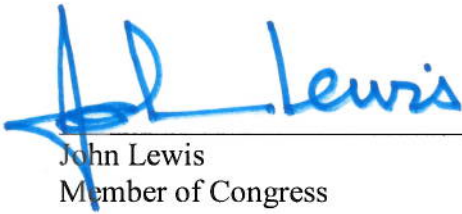
Donald S. Beyer, Jr.
Member of Congress



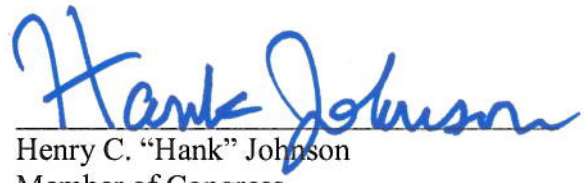
Diana DeGette
Member of Congress



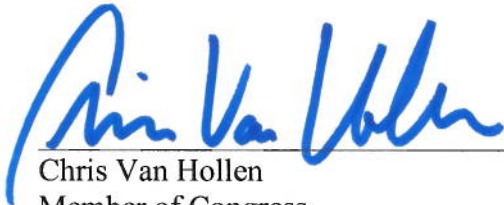
Paul D. Tonko
Member of Congress



John Lewis
Member of Congress



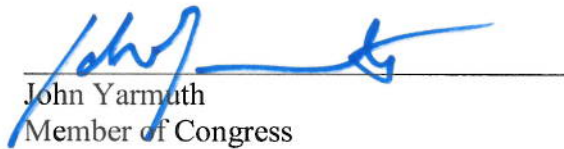
Henry C. "Hank" Johnson
Member of Congress



Chris Van Hollen
Member of Congress



Suzan DelBene
Member of Congress



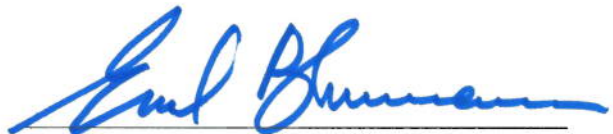
John Yarmuth
Member of Congress



Joe Courtney
Member of Congress



Jackie Speier
Member of Congress



Earl Blumenauer
Member of Congress



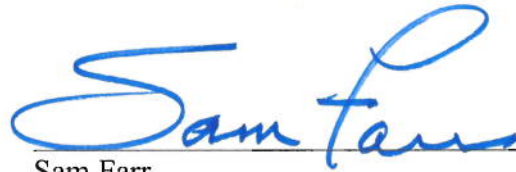
Doris Matsui
Member of Congress



Barbara Lee
Member of Congress



Donna F. Edwards
Member of Congress



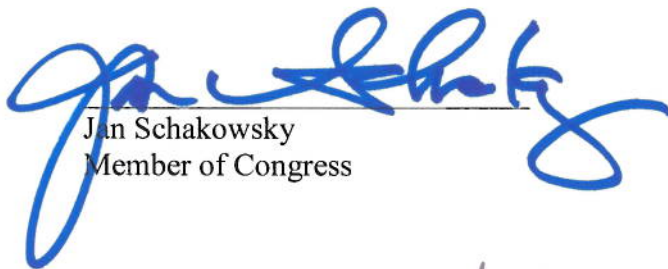
Sam Farr
Member of Congress



Michael M. Honda
Member of Congress



Mike Doyle
Member of Congress



Jan Schakowsky
Member of Congress



Mike Thompson
Member of Congress



Danny K. Davis
Member of Congress

cc: The Honorable Jack Lew, Secretary, Department of the Treasury
The Honorable Arne Duncan, Secretary, Department of Education
The Honorable Richard Cordray, Director, Consumer Financial Protection Bureau