

The Honorable Greg Walden, Chairman  
The Honorable Anna Eshoo, Ranking Member  
Subcommittee on Communications and Technology  
Energy and Commerce Committee  
United States House of Representatives  
Washington, D.C. 20510

Dear Chairman Walden and Ranking Member Eshoo:

The undersigned non-profit organizations, representing millions of consumers, write to express our strong support for your interest in improving protections against unwanted robocalls. As you know, unwanted robocalls are currently the top consumer complaint to the Federal Communications Commission (FCC), and were the source of over 2 million complaints to the Federal Trade Commission (FTC) in 2015.

We agree that more tools need to be brought to bear in the battle against the millions of unwanted, harassing, and illegal robocalls to which consumers continue to be subjected. In particular, we support the ROBOCOP Act, legislation introduced by Representative Jackie Speier (D-CA) (H.R. 4932) and Senator Charles Schumer (D-NY) (S. 3026). This legislation would provide important new incentives for carriers to provide consumers with call-blocking technologies and to eradicate caller-ID spoofing, which we believe is critical to addressing the runaway robocall problem.

At the same time, we are concerned that some proposals being put forward for discussion, such as altering the definitions of “autodialer” and “consent” under the Telephone Consumer Protection Act (TCPA), would seriously undermine the enforcement power of this fundamental law. Altering the definition of autodialer would have the effect of creating dangerous gaps in the law; the current definition reaches all of the telemarketing technologies used today. And altering the definition of consent would eliminate important incentives currently in place for callers to ensure that they actually have the consent of the called party. There are many technologies already in place that provide callers with data on whether the person from whom they have consent is still the current owner of the phone. Changing these definitions would be unfortunate steps backward, and would hurt consumers.

Some in the calling industry evidently want to be able to make robocalls without the consent of the consumers called, and without liability for making even repeated and widespread mistakes. We urge the Committee to take utmost care not to make changes to the TCPA that would subject American consumers to tens of millions more unwanted, and currently illegal, robocalls.

We would be happy to work with the members of the Committee on stronger protections to guard against unwanted, disruptive, and at times harassing, even fraudulent, robocalls. Please feel free to contact Margot Saunders of the National Consumer Law Center at [mrsaunders@nclc.org](mailto:mrsaunders@nclc.org) or Maureen Mahoney of Consumers Union at [mmahoney@consumer.org](mailto:mmahoney@consumer.org) for further information.

Sincerely,

Consumer Action  
Consumer Federation of America  
Consumer Watchdog  
Consumers Union  
National Association of Consumer Advocates  
National Consumer Law Center, on behalf of its low-income clients  
Public Knowledge

cc: Honorable Fred Upton, Chairman, House Energy & Commerce Committee  
Honorable Frank Pallone, Jr., Ranking Member, House Energy & Commerce Committee  
Members, House Energy & Commerce Committee