

# Congress Set to Allow Robocalls to Cellphones

## Congress and Obama Administration Poised to Open the Floodgates for Debt Collector Robocalls to Cellphones

(WASHINGTON) Hidden in the federal budget bill before Congress is a provision that would open the door to unwanted robocalls to cell phones for student loan borrowers, mortgage borrowers, taxpayers, and others with debt backed by the federal government. The provision would also allow robocalls to borrowers' relatives, their references, as well as any unrelated person who has the reassigned cellphone number of these parties.

Section 301 removes the current requirement for a caller to have the consent of the called party before making autodialed or prerecorded calls or texts for the collection of debts owed or guaranteed by the federal government. It also removes the ability of the called party to stop these unwanted robocalls to their cellphones.

"Giving one of the most abusive industries in the U.S. free rein to inundate people with robo-calls to their cellphones is a terrible idea," said Margot Saunders, Of Counsel to the National Consumer Law Center. "Cell phone calls can distract people while driving, interrupt them at their jobs, and needlessly impose a cost on struggling families by using up scarce minutes. Debt collectors regularly call land lines to harass and threaten friends, family, and even strangers with similar names to the debtor. No one will be safe from receiving abusive calls on their cell phones if this provision goes through."

Though the provision is limited to debts owed or guaranteed by the federal government, millions of consumers will be affected, including graduates who can't pay their loans due to the terrible job market, homeowners who are behind in mortgages, and people who are in tax disputes with the Internal Revenue Service. Families who have lost their homes to foreclosure could be exposed to cell phone calls for years if the delinquency on their mortgage is sold to debt buyers.

The Federal Communications Commission received more than 215,000 complaints related to unwanted calls in 2014 and this past June, the Commission adopted stronger regulations to better protect consumers from unwanted robocalls and texts.

"The Fair Debt Collection Practices Act badly needs updating but for the purposes of protecting consumers from widespread harassment and debt collector abuses, not for facilitating those abuses," Saunders noted, "and we hope that the Consumer Financial Protection Bureau, which is considering stronger rules, will move to rein in these type of abuses."