

Legislation to Shut Down Unwanted Robocalls Reintroduced

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The “Stopping Bad Robocalls Act” would reinforce decades-old consumer protections from robocalls

WASHINGTON - Consumer advocates at the National Consumer Law Center applaud Congressman Frank Pallone (D-NJ-6) for reintroducing the “Stopping Bad Robocalls Act,” a bill to clarify significant sections of the Telephone Consumer Protection Act (TCPA). Congressman Pallone is Chairman of the House Committee on Energy and Commerce, tasked with overseeing telecommunications, protections from robocalls, and the Federal Communications Commission’s (FCC) enforcement of the TCPA.

The Act would address key questions raised by the FCC regarding TCPA enforcement. Most notably, the Act clarifies the law’s definition of an “autodialer,” which the statute prohibits callers from using to dial cell phone numbers without the called party’s consent, and maintains consumers’ right to revoke consent and stop unwanted robocalls. The FCC has opened these and other aspects of the TCPA up for public comment, soliciting input from banks, lenders, debt collectors, and retailers responsible for many of the calls, as well as consumers and consumer advocates.

“The Stopping Bad Robocalls Act would bolster consumer protections from all unwanted robocalls if the FCC should fail to rein in unwanted calls from businesses, including telemarketing calls and collection calls from debt collectors, cable companies, credit card companies, and student loan servicers,” **said Margot Saunders, senior counsel at the National Consumer Law Center.**

The Robocall Index, a service of the call-blocking app YouMail, estimates that 2018 was the worst year on record for robocalls, with 47.8 billion calls made to consumers throughout the year, a 57 percent increase from 2017. Many of these were made using autodialers, both with and without the called party’s consent. Any prolonged government shutdown could make the situation worse as the Federal Trade Commission is unable to administer the Do Not Call list.

In an era of intense partisanship, politicians on both sides of the aisle have found common ground in efforts to address the epidemic of unwanted robocalls. Lawmakers have taken a varied approach though, with some content with only addressing scam calls, which accounted for just 37 percent of all robocalls in 2018.

“We are pleased to see Chairman Pallone’s legislation address all sources of unwanted robocalls, including those from the big banks and debt collectors that are lobbying the FCC for lax oversight or wholesale exemptions to the TCPA, unleashing even more robocalls upon consumers,” **said Saunders.**

The Act would also address purposeful evasion of the rules outlined in the Telephone Consumer Protection Act, such as employing a human to initiate the rapid, automated dialing of hundreds of numbers with a single keystroke. Robocallers argue these these dialers are not automated because the sequence of calls is initiated manually.

For additional resources, including an interactive map showing state-by-state robocall totals for 2018 and Six Top Tips for Consumers to Stop Illegal Robocalls, visit NCLC's Robocalls and Telemarketing page.