

June 21, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai,

We write to express our strong opposition to proposals allowing for the expanded use of ringless voicemail to communicate with unconsenting consumers. Furthermore, we oppose the request submitted in the Petition for Declaratory Ruling by All About the Message, LLC (AATM) to the FCC (CG Docket No. 02-278). Unsolicited ringless voicemail is a clear-cut attempt at an end-run around legal and technological protections against spam and unwanted phone communications. If approved, AATM's petition would force phone customers to listen to messages that they do not want to hear at the expense of their time, money, and freedom of choice. The FCC should reject this anti-consumer petition.

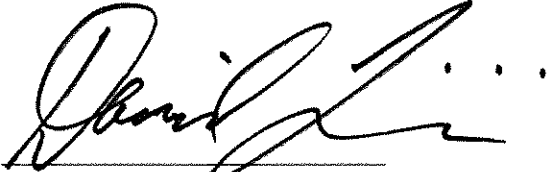
As you know, the Telephone Consumer Protection Act (TCPA) prohibits autodialed or prerecorded calls to cell phone numbers except in cases of emergency, to collect debts owed to or guaranteed by the United States, or when a customer has provided prior express consent for such calls to be made. This law plays a critical role in stemming the flood of unwanted, disruptive robocalls to cell phones.

AATM's technology sends messages directly to a customer's voicemail inbox, thus avoiding the rings that would normally notify the customer about an incoming call. Because of this fact, AATM purports that the communications it facilitates are not actually phone calls and thus are not subject to the TCPA. Furthermore, AATM asserts that delivery of a voicemail doesn't result in charges to the customer, thus rendering worries about cell phone plan costs moot. AATM is seeking affirmative confirmation of this interpretation from the FCC with its petition.

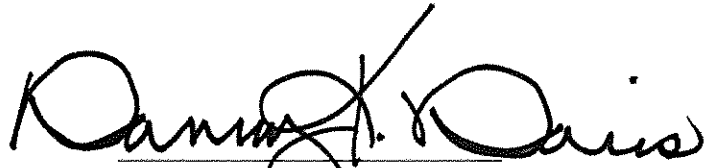
AATM's proposal boils down to the idea that since customers have to take initiative to listen to their voicemails, the company has caused no disruption to their lives. Yet consider that phones will typically still alert users that they have a voicemail, interrupting them as they go about their business. But most importantly, with other phone calls, users have the opportunity to see the number of the party dialing them and permanently block it if they so choose. With ringless voicemail, phone users must expend additional effort to identify the source of the call and have no means of stopping the flow of voicemail if it is unwanted. Without a check on the flow of incoming voicemail, customers are at risk of having to wade through ads, scams, and other unwanted calls in order to hear messages from children's teachers, family members, workplace managers, doctors, and other legitimate callers. In the worst case scenario, legitimate callers will not be able to leave messages at all, as phone providers frequently limit the number of voicemails they will store for customers at any one time. Lastly, millions of phone customers rely on limited-minute or prepaid plans that charge users as they use the service. Families on a budget would be at risk of wasting limited minutes or facing additional charges as they deal with excessive voicemail messages.

Consumers are the owners of their phone. Consumers are responsible for paying for their phone plans. Consumers should be the ones deciding who gets to contact them and how. We urge the FCC to reject AATM's petition.

Sincerely,



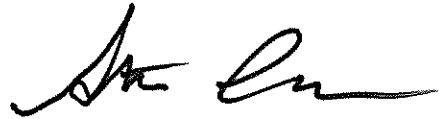
Daniel W. Lipinski
Member of Congress



Danny K. Davis
Member of Congress



Ro Khanna
Member of Congress



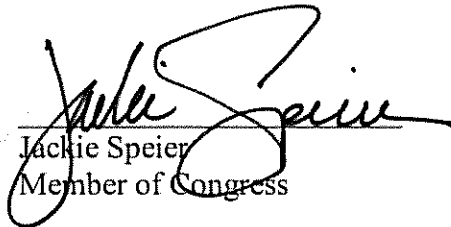
Steve Cohen
Member of Congress



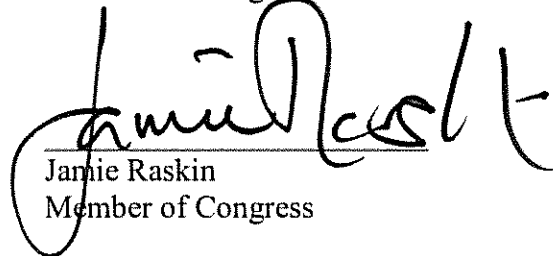
Eleanor Holmes Norton
Member of Congress



Mark Takano
Member of Congress



Jackie Speier
Member of Congress



Jamie Raskin
Member of Congress



Carol Shea-Porter
Member of Congress



Ted W. Lieu
Member of Congress



Robert A. Brady
Member of Congress



Brad Sherman
Member of Congress

A handwritten signature in black ink, appearing to read "Jim McGovern", written over a horizontal line.

James P. McGovern
Member of Congress

A handwritten signature in black ink, appearing to read "Cheri Bustos", written over a horizontal line.

Cheri Bustos
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Robert A. Brady
U.S. House of Representatives
2004 Rayburn House Office Building
Washington, D.C. 20515

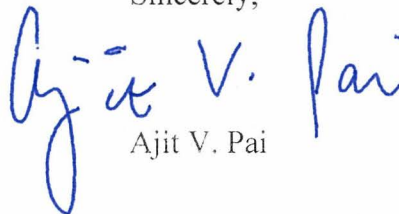
Dear Congressman Brady:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

The Commission's Consumer and Governmental Affairs Bureau released a Public Notice seeking public comment on AATM's petition, and the comment periods on the matter closed on June 2, 2017. Subsequently, AATM filed a letter withdrawing its petition on June 20, 2017.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 18, 2017

The Honorable Cheri Bustos
U.S. House of Representatives
1009 Longworth House Office Building
Washington, D.C. 20515

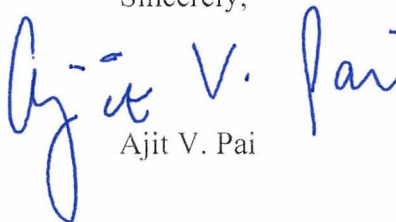
Dear Congresswoman Brady:

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Steve Cohen
U.S. House of Representatives
2404 Rayburn House Office Building
Washington, D.C. 20515

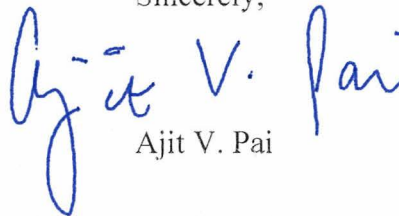
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Ajit V. Pai



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Danny K. Davis
U.S. House of Representatives
2159 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Davis:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Rohit Khanna
U.S. House of Representatives
513 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Khanna:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Ted Lieu
U.S. House of Representatives
236 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Lieu:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Daniel Lipinski
U.S. House of Representatives
2346 Rayburn House Office Building
Washington, D.C. 20515

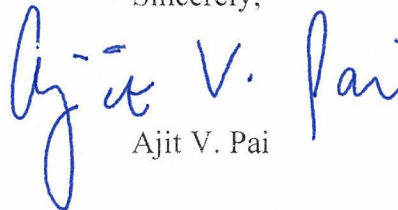
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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
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July 18, 2017

The Honorable Jim McGovern
U.S. House of Representatives
438 Cannon House Office Building
Washington, D.C. 20515

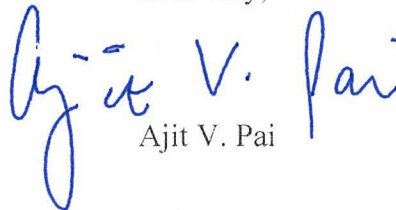
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Ajit V. Pai



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WASHINGTON

OFFICE OF
THE CHAIRMAN

July 18, 2017

The Honorable Eleanor Holmes Norton
U.S. House of Representatives
2136 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Norton:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
THE CHAIRMAN

July 18, 2017

The Honorable Jamie Raskin
U.S. House of Representatives
431 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Raskin:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai



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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Carol Shea-Porter
U.S. House of Representatives
1530 Longworth House Office Building
Washington, D.C. 20515

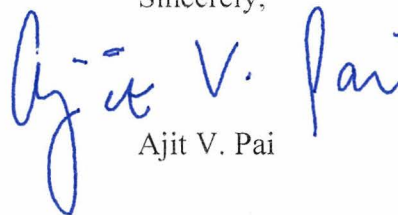
Dear Congresswoman Shea-Porter:

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Ajit V. Pai



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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 18, 2017

The Honorable Brad Sherman
U.S. House of Representatives
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Sherman:

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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 18, 2017

The Honorable Jackie Speier
U.S. House of Representatives
2465 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Speier:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 18, 2017

The Honorable Mark Takano
U.S. House of Representatives
1507 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Tokano:

Thank you for your letter regarding a petition for declaratory ruling filed by All About the Message, LLC (AATM). In its petition, AATM requests that the Commission declare that the delivery of voice messages directly to a voicemail box does not constitute a call that is subject to the protections of the Telephone Consumer Protection Act. Your views about the petition are very important and will be included in the record of the proceeding.

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Ajit V. Pai