

Congress of the United States  
Washington, DC 20515

1000

August 1, 2014

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

Dear Chairman Wheeler:

We write to make you aware of a significant hindrance to public and private business practices across our great nation due to outdated federal law.

In 1991, the Telephone Consumers Protection Act (TCPA) was enacted by Congress to address a growing concern over telemarketing calls and certain practices found to be an invasion of consumer privacy. It includes a provision that prohibits the use of automated telephone systems under certain circumstances when calling a wireless phone, even when a public or private entity has an existing business relationship with the consumer or the consumer otherwise is indebted to the government or private entity.

Today, this law is being unfairly applied with great unintended consequences to calls that the Federal Communications Commission has deemed informational, not solicitation or telemarketing. The use of modern technology, whether by the public or private sector, is an essential tool for efficiency in contacting consumers, and allows for better compliance with other regulations and better prevents calling the wrong number.

The Commission must apply a common sense approach to the TCPA, particularly when organizations are contacting individual consumers for informational purposes, and are not contacting consumers for telemarketing purposes. These public or private entities may legally contact consumers on mobile devices if they dial the phone manually without the aid of modern technology.

Without reforms, the U.S. Department of Education and other federal or state government bodies cannot use technology designed for efficiency to contact millions of consumers who owe a public debt such as student loans or taxes. Private sector businesses cannot reach consumers with information regarding how to prevent an adverse financial action such as foreclosure, negative credit reporting, confiscation of property, or litigation. Inadvertently, the TCPA has turned a vehicle to protect consumers from unwanted random solicitations into a booming practice for opportunistic attorneys to take advantage of ambiguous rules and profit personally

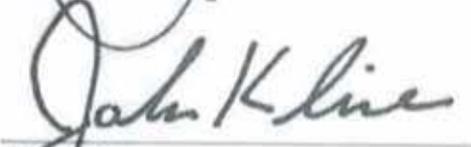
by receiving millions of dollars by suing businesses and overburdening the courts while providing only nominal relief to their clients.

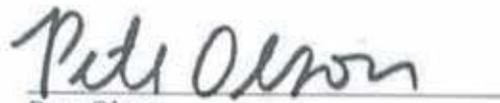
I urge the FCC to act on ACA International's petition to modernize the TCPA by enacting common-sense reforms to facilitate the delivery of time-sensitive consumer information to mobile devices while continuing to protect consumers from unwanted telemarketing calls. The FCC, as an expert agency, must recognize that today, 96 percent of adults are mobile subscribers and 54 percent of households are either entirely or mostly wireless. The world has changed significantly since 1991 and it's time for the FCC to clarify and modernize its TCPA rules to reflect the realities of today.

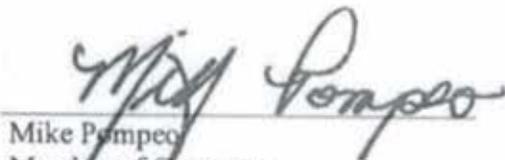
Sincerely,

  
Marsha Blackburn  
Member of Congress

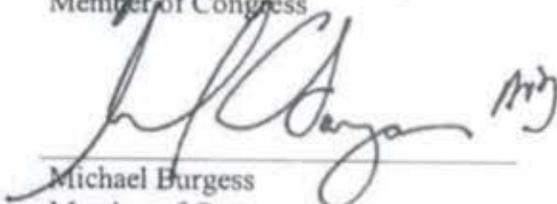
  
Blaine Luetkemeyer  
Member of Congress

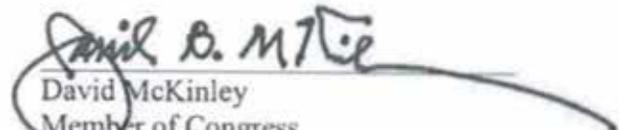
  
John Kline  
Member of Congress

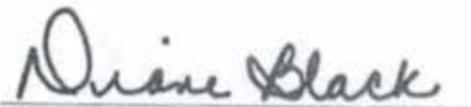
  
Pete Olson  
Member of Congress

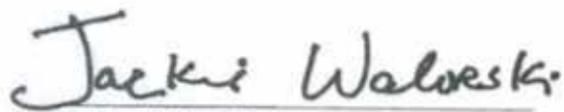
  
Mike Pompeo  
Member of Congress

  
Andy Barr  
Member of Congress

  
Michael Burgess  
Member of Congress

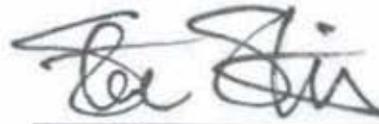
  
David McKinley  
Member of Congress

  
Diane Black  
Member of Congress

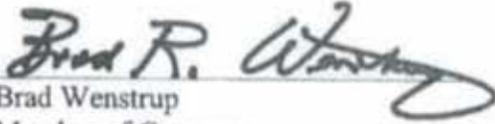
  
Jackie Walorski  
Member of Congress



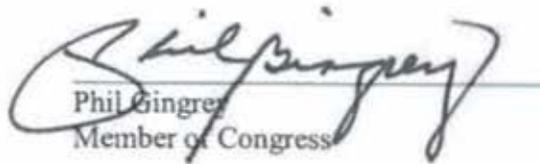
Robert Hurt  
Member of Congress



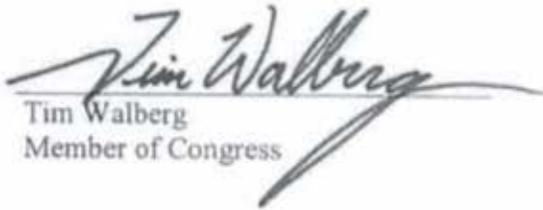
Steve Stivers  
Member of Congress



Brad Wenstrup  
Member of Congress



Phil Gingrey  
Member of Congress



Tim Walberg  
Member of Congress

Cc: The Honorable Mignon Clyburn, Commissioner, Federal Communications Commission  
The Honorable Jessica Rosenworcel, Commissioner, Federal Communications Commission  
The Honorable Ajit Pai, Commissioner, Federal Communications Commission  
The Honorable Michael O'Rielly, Commissioner, Federal Communications Commission



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 10, 2014

The Honorable Brad Wenstrup  
U.S. House of Representatives  
1223 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Wenstrup:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

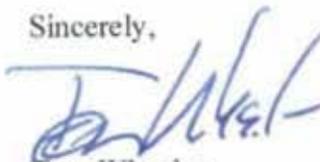
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On February 21, 2014, the Commission's Consumer and Governmental Affairs Bureau issued a Public Notice seeking comment on ACA's petition and has done the same with related petitions that we have received over the past several months. Commission staff is comprehensively reviewing the record established in each proceeding. In addition, staff has held numerous meetings with interested parties, including those with debt collection interests that are similar to that of ACA.

Please be assured that we will take into consideration the issues and concerns presented by all stakeholders as the Commission reviews the record in this proceeding as expeditiously as possible.

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

Sincerely,



Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

October 10, 2014

The Honorable Jackie Walorski  
U.S. House of Representatives  
419 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Walorski:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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Sincerely,

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Tom Wheeler



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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 10, 2014

The Honorable Tim Walberg  
U.S. House of Representatives  
418 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Walberg:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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WASHINGTON

October 10, 2014

The Honorable Steve Stivers  
U.S. House of Representatives  
1007 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Stivers:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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WASHINGTON

October 10, 2014

The Honorable Mike Pompeo  
U.S. House of Representatives  
107 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Pompeo:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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WASHINGTON

October 10, 2014

The Honorable Pete Olson  
U.S. House of Representatives  
312 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Olson:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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October 10, 2014

The Honorable David McKinley  
U.S. House of Representatives  
412 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman McKinley:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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WASHINGTON

October 10, 2014

The Honorable Blaine Luetkemeyer  
U.S. House of Representatives  
2440 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Luetkemeyer:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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October 10, 2014

The Honorable John Kline  
U.S. House of Representatives  
2439 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Kline:

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Tom Wheeler



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WASHINGTON

October 10, 2014

The Honorable Robert Hurt  
U.S. House of Representatives  
125 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Hurt:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 10, 2014

The Honorable Phil Gingrey  
U.S. House of Representatives  
442 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Gingrey:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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October 10, 2014

The Honorable Michael Burgess  
U.S. House of Representatives  
2336 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Burgess:

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October 10, 2014

The Honorable Diane Black  
U.S. House of Representatives  
1531 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Black:

Thank you for your letter urging the Commission to act on a Petition for Rulemaking filed by the Association of Credit and Collection Professionals International (ACA). Among other things, ACA seeks to have the Commission re-interpret the statutory definition of an automatic telephone dialing system, also known as an autodialer. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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October 10, 2014

The Honorable Andy Barr  
U.S. House of Representatives  
1432 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Barr:

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October 10, 2014

The Honorable Marsha Blackburn  
U.S. House of Representatives  
217 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Blackburn:

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Please be assured that we will take into consideration the issues and concerns presented by all stakeholders as the Commission reviews the record in this proceeding as expeditiously as possible.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler".

Tom Wheeler