United States Senate
WASHINGTON, DC 20510

January 28, 2015

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

Dear Chairman Wheeler:

When Congress passed the Telephone Consumer Protection Act (TCPA) of 1991, the goal was clear: whether at home or on their mobile phones, consumers should not be subject to intrusive and unsolicited calls from telemarketers.

More than 20 years after the enactment of the TCPA, it is clear that consumers have benefited from the law's protections. In 1991, Congress was primarily concerned with stopping phone calls while families were eating meals together, parents were helping children with homework, or workers were arriving home after work. By banning auto dialing and pre-recorded calls to land lines and mobile phones, with certain exceptions, and establishing the National Do Not Call Registry, the law created a zone of privacy that remains hugely popular with consumers to this day.

Unfortunately, today there are efforts to weaken this important law. In response to industry requests, the Federal Communications Commission (FCC) is seeking comment on proposals that would provide exemptions and questionable safe harbors for businesses that utilize auto-dialers to call consumers' mobile devices. We have deep concerns about these proposed changes that undermine the intent and spirit of the TCPA.

American consumers have enjoyed the convenience and privacy that the protections the TCPA have provided for more than two decades. These protections should continue for years to come. The FCC should reject calls to weaken or undermine this effective law.

Thank you for your attention to this issue.

Sincerely,

Edward J. Markey
United States Senator

Charles E. Schumer
United States Senator

Ron Wyden
United States Senator

Claire McCaskill
United States Senator

Tammy Baldwin
United States Senator

Barbara Boxer
United States Senator

Richard Blumenthal
United States Senator

Elizabeth Warren
United States Senator

Bernard Sanders
United States Senator

Kirsten Gillibrand
United States Senator

Jeff Merkley
United States Senator

Amy Klobuchar
United States Senator

Sheldon Whitehouse
United States Senator

Al Franken
United States Senator

Cc:
Chairwoman Edith Ramirez

Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Rielly

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Tammy Baldwin
United States Senate
717 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Baldwin:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, Congress enacted the TCPA in 1991 to protect consumers from unwanted autodialed or prerecorded telemarketing calls. The statute and the Commission's implementing rules prohibit the use of automatic telephone dialing systems and artificial or prerecorded voice messages to make non-emergency calls without prior express consent in certain instances.

The Commission has received several petitions regarding the applicability of the TCPA and the Commission's related rules. Among the various issues, a few major questions arise. One question is whether to consider certain calling equipment "autodialers" under the TCPA, thereby making users of that equipment subject to the law's consumer protections. Another issue is how the law might apply if a caller dials a wireless number that was once assigned to a subscriber who consented to such calls but now is re-assigned to another subscriber who does not. A third question is whether the TCPA applies with equal force to non-telemarketing calls to wireless numbers.

As we do with all TCPA petitions, we have sought public comment, and most of those comment cycles have been completed. The Commission staff is comprehensively reviewing the record established in each proceeding. The staff has also had numerous informative meetings with consumer groups, trade associations, small business owners, and state attorneys general. We have also regularly reviewed the FCC complaint database to make certain that we understand the full impact of robocalls on individual consumers.

The Commission is committed to the TCPA's goal of protecting consumers from unwanted calls. We know consumers value their privacy, regardless of whether unwanted efforts to reach them target their home landlines or wireless phones. Please be assured that we will take into consideration the issues and concerns presented by all stakeholders as the Commission continues to work on these proceedings 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

February 27, 2015

The Honorable Richard Blumenthal
United States Senate
702 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, Congress enacted the TCPA in 1991 to protect consumers from unwanted autodialed or prerecorded telemarketing calls. The statute and the Commission's implementing rules prohibit the use of automatic telephone dialing systems and artificial or prerecorded voice messages to make non-emergency calls without prior express consent in certain instances.

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Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Boxer:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, Congress enacted the TCPA in 1991 to protect consumers from unwanted autodialed or prerecorded telemarketing calls. The statute and the Commission's implementing rules prohibit the use of automatic telephone dialing systems and artificial or prerecorded voice messages to make non-emergency calls without prior express consent in certain instances.

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Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Al Franken
United States Senate
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Franken:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. 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,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Kirsten Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gillibrand:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, Congress enacted the TCPA in 1991 to protect consumers from unwanted autodialed or prerecorded telemarketing calls. The statute and the Commission's implementing rules prohibit the use of automatic telephone dialing systems and artificial or prerecorded voice messages to make non-emergency calls without prior express consent in certain instances.

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Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you note, Congress enacted the TCPA in 1991 to protect consumers from unwanted autodialed or prerecorded telemarketing calls. The statute and the Commission's implementing rules prohibit the use of automatic telephone dialing systems and artificial or prerecorded voice messages to make non-emergency calls without prior express consent in certain instances.

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Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Edward J. Markey
United States Senate
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. 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,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Claire McCaskill
United States Senate
SH-506 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator McCaskill:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. 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,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Jeff Merkley
United States Senate
107 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Merkley:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. 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,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Sanders:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. 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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Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Charles E. Schumer
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Schumer:

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Sincerely,

Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Elizabeth Warren
United States Senate
C2 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Warren:

Thank you for your letter regarding pending petitions for declaratory ruling on the applicability of the Telephone Consumer Protection Act (TCPA) and the Commission's related rules. 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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Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Sheldon Whitehouse
United States Senate
502 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Whitehouse:

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Tom Wheeler

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 27, 2015

The Honorable Ron Wyden
United States Senate
223 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Wyden:

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