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June 11, 2015

**VIA ELECTRONIC DELIVERY**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Room TW-A325  
Washington, D.C. 20554

**Re: Notice of *Ex Parte* Presentations  
CG Docket No. 02-278**

Dear Ms. Dortch:

On June 10, 2015, Mark W. Brennan, as counsel to Navient Corp. (“Navient”), met by teleconference with Maria Kirby from Chairman Wheeler’s office, Chanelle Hardy from Commissioner Clyburn’s office, and Amy Bender from Commissioner O’Rielly’s office to discuss the Chairman’s proposed Declaratory Ruling on Telephone Consumer Protection Act-related (“TCPA”) issues.<sup>1</sup> On June 11, 2015, Mark W. Brennan also met by teleconference with Travis Litman and Jennifer Thompson from Commissioner Rosenworcel’s office and with Nicholas Degani from Commissioner Pai’s office to discuss the same issues.

At the meetings, the parties discussed the benefits to consumers and importance of permitting student loan servicers, including Navient, to contact borrowers on their mobile devices. Navient encourages the Commission to take action to clarify and confirm that such servicers are permitted to contact borrowers on their wireless phones by using automatic telephone dialing systems and prerecorded voice and text messages. Navient also supports the recent *ex parte* filing made by numerous associations in support of such communications.<sup>2</sup>

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<sup>1</sup> See Fact Sheet: Wheeler Proposal to Protect and Empower Consumers Against Unwanted Robocalls, Texts to Wireless Phones (released May 27, 2015), available at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2015/db0527/DOC-333676A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2015/db0527/DOC-333676A1.pdf) (“TCPA Fact Sheet”).

<sup>2</sup> Letter from Harrison M. Wadsworth III, COHEAO *et al.*, to Marlene H. Dortch, Secretary, Federal Communications Commission, CG Docket No. 02-278 (June 5, 2015), available at <http://apps.fcc.gov/ecfs/document/view?id=60001076957>.

The U.S. Departments of Education and Treasury have previously submitted materials to the Commission highlighting the importance of using autodialers and prerecorded voice and text messages to reach student loan borrowers.<sup>3</sup> They have also encouraged the Commission to avoid restricting the use of autodialing technologies for federal debt collection purposes. Federal student loan servicers must be able to contact borrowers to educate, inform, and guide them through the intricacies of federal loan repayment plans and obligations. Contacting borrowers is also essential to avoiding default and, if a default occurs, helping borrowers to understand and exercise their post-default options.

The parties also discussed how contacting student loan borrowers through landline phones is a persistent challenge. A recent Gallup poll found that 68 percent of Americans aged 18-to-29, the predominant age group of student loan borrowers, either sent or received a text message on the previous day, and that 50 percent made or received a phone call using a mobile device. Only seven percent of respondents had made or received a call using a landline phone.<sup>4</sup> Sending messages and alerts through the mail is also an ineffective method of contacting student loan borrowers.

Given young Americans' preferences for communicating via text messages and mobile devices, contacting student loan borrowers on such devices is simply the most effective way to reach them. Likewise, preview dialers, predictive dialers, and similar modern technological communication methods are far more efficient and effective than manual dialing in reaching borrowers on their cell phones.

Pursuant to Section 1.1206(b)(1) of the Commission's rules, I am submitting a copy of this letter into the proceeding record.

Sincerely,

*/s/ Mark Heleen*

Mark Heleen  
Executive Vice President & Chief Legal Officer

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<sup>3</sup> See Letter from Vanessa A. Burton, Attorney, Division of Postsecondary Education, U.S. Department of Education, to Marlene H. Dortch, Secretary, Federal Communications Commission, CG Docket No. 02-278 (May 21, 2010), available at <http://apps.fcc.gov/ecfs/document/view?id=7020476117>; Letter from Scott H. Johnson, Assistant Commissioner, Debt Management Services, U.S. Department of the Treasury, to Marlene H. Dortch, Secretary, Federal Communications Commission, CG Docket No. 02-278 (May 20, 2010), available at <http://apps.fcc.gov/ecfs/document/view?id=7020544285>.

<sup>4</sup> *The New Era of Communication Among Americans*, Gallup (Nov. 10, 2014), available at <http://www.gallup.com/poll/179288/new-era-communication-americans.aspx>.