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November 30, 2015

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
Washington, DC 20554

Dear Chairman Wheeler,

As the president of the National Black Caucus of State Legislators (NBCSL), I write to urge the Federal Communications Commission (FCC) to deny the petition that would declare text message services be governed by Title II of the Communications Act (WT Docket No. 08-7).

NBCSL is comprised of over 700 African American state legislators from across the country. Our primary mission is to develop, conduct and promote educational, research, and training programs to enhance the effectiveness of our members as they consider legislation and issues of public policy which impact the general welfare of African American constituents within their respective jurisdictions.

Consumers have come to enjoy the benefits of mobile technology devices which have become a mainstay in our daily lives. A recently released study (October 29, 2015) by the Pew Research Center found that 92% of Americans own a mobile phone, which includes 68% who own smartphones. Pew also found in an April 2015 study that text messaging is ranked as the most widely and most frequently used feature of smartphone users.

From getting alerts from banking institutions for questionable activity to getting temporary resets for forgotten passwords, and communicating quickly with family and friends, text messaging has become a critical component that assists in the daily management of consumer's lives. Unwarranted or harmful messages should not be an added risk from using this messaging platform.

I therefore respectfully request that the Commission keep consumer's mobile text messaging experiences free from unwarranted solicitations and deny the petition to subject mobile messages to Title II oversight.

Sincerely,

Catherine Pugh

cc: Hon. Mignon Clyburn
Hon. Michael O'Rielly
Hon. Jessica Rosenworcel