

# United States Senate

WASHINGTON, DC 20510

May 14, 2015

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

Dear Chairman Wheeler:

In January, we wrote to you and urged the Federal Communications Commission (FCC) not to weaken the privacy protections contained in the Telephone Consumer Protection Act (TCPA) of 1991. These protections prevent auto-dialers from making unsolicited and intrusive calls to consumers at home or on their mobile phones. More than 20 years after the enactment of the TCPA, it is clear that consumers have benefited from the law's popular privacy protections.

Unfortunately, we understand that the FCC is considering weakening some of these important protections. Specifically, the Commission is assessing whether the FCC should provide exemptions from liability when auto-dialers are used to make three calls to a person who has not provided consent. The FCC is also evaluating whether to allow industries to send up to three unsolicited texts or calls per day without consent in certain circumstances. These proposals would threaten privacy and result in an increase in disruptive and annoying calls for American consumers.

Current law already permits industries to make unsolicited calls to consumers so long as the consumer's number is manually dialed. Additionally, companies can auto-dial a consumer's phone number with a consumer's consent. Accordingly, there is no need to make the proposed changes to the TCPA.

Consumers already believe they receive too many unwanted calls and texts. The Federal Trade Commission reported more than three million telemarketing complaints and the FCC reported more than 100,000 in recent years. The potential changes to the TCPA could make matters worse. We strongly urge the FCC to maintain the TCPA's privacy protections and to continue to protect consumers from unwanted calls.

Thank you for your attention to this issue.

Sincerely,

  
Edward J. Markey  
United States Senator

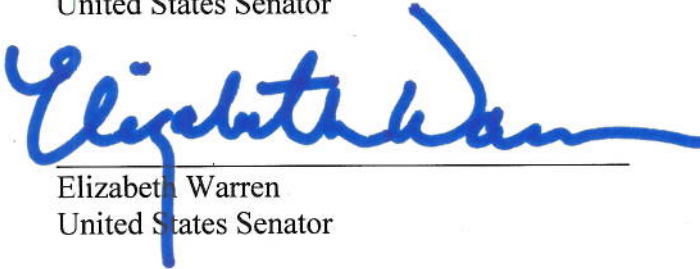
  
Charles E. Schumer  
United States Senator



Ron Wyden  
United States Senator



Claire McCaskill  
United States Senator



Elizabeth Warren  
United States Senator



Richard Blumenthal  
United States Senator



Amy Klobuchar  
United States Senator



Tammy Baldwin  
United States Senator



Jeff Merkley  
United States Senator



Al Franken  
United States Senator