

STATEMENT OF CHAIRMAN JULIUS GENACHOWSKI

Re: *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278

It has been nearly two decades since the Commission first adopted rules addressing prerecorded telemarketing calls under the Telephone Consumer Protection Act of 1991. Since then, technologies have developed that allow telemarketers to conduct so-called “robocall” campaigns, generating more than a thousand prerecorded message calls per minute at a cost of just a few cents per call.

The rulemaking we initiate today considers whether consumers are adequately protected against unsolicited and unwanted telemarketing calls. We propose to prohibit telemarketers from making prerecorded telemarketing calls without first obtaining consumers’ written consent, and to allow consumers who no longer wish to receive these calls to withdraw their consent through convenient automated methods.

Those changes will empower consumers to choose the messages they wish to receive and avoid those they do not. They will also harmonize our rules with the FTC’s recently amended Telemarketing Sales Rule. Because of recent rule changes by the FTC, businesses now operate under different robocalls requirements depending on whether they are subject to both the FTC’s and the FCC’s rules, or only to the FCC’s. For consumers, this may be confusing.

Today’s action will help reconcile differences between FTC and FCC rules, and will advance the goals of the Telephone Consumer Protection Act. It will help fulfill Congress’ directive to the Commission in the Do-Not-Call Implementation Act to “maximize consistency” of our telemarketing rules with the FTC’s.

I salute the Federal Trade Commission for its action and leadership on this issue. I look forward to further work with my colleagues as we seek to ensure that consumers are protected and empowered.