



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.

Page 2—The Honorable Tammy Baldwin

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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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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Tom Wheeler





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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

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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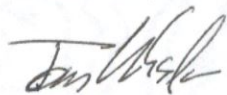
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Tom Wheeler



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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

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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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:

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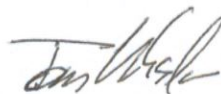
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Page 2—The Honorable Kirsten Gillibrand

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Tom Wheeler





OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

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.

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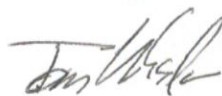
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Page 2—The Honorable Amy Klobuchar

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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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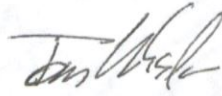
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Page 2—The Honorable Edward Markey

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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:

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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:

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Tom Wheeler





FEDERAL COMMUNICATIONS COMMISSION
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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:

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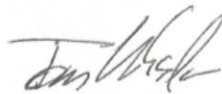
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Tom Wheeler





FEDERAL COMMUNICATIONS COMMISSION
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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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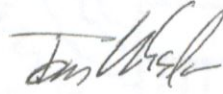
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Tom Wheeler



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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 27, 2015

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

Dear Senator Warren:

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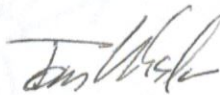
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Page 2—The Honorable Elizabeth Warren

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Tom Wheeler



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February 27, 2015

The Honorable Sheldon Whitehouse
United States Senate
502 Hart Senate Office Building
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February 27, 2015

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

Dear Senator Wyden:

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.

Page 2— Ron Wyden

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler". The signature is fluid and cursive, with a prominent initial "T" and "W".

Tom Wheeler

