



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

September 7, 2018

The Honorable David B. McKinley  
U.S. House of Representatives  
2239 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman McKinley:

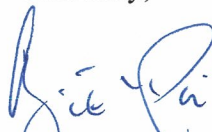
Thank you for your letter in support of the FCC's recent efforts to update and enforce the Telephone Consumer Protection Act (TCPA). Unwanted robocalls are consumers' top complaint to the FCC, and we have accordingly made combating illegal robocalls a top consumer protection priority. We have aggressively enforced the TCPA as well as the Truth in Caller ID Act—leveling over \$200 million in proposed fines against illegal robocallers. We have authorized carriers to stop certain robocalls at the source while we pursue creation of a reassigned numbers database and a robust call-authentication framework. And we have been working with our colleagues at the Federal Trade Commission as well, hosting a policy forum in March and a tech expo in April.

In your letter, you request an update on the steps the Commission is taking to clarify and modernize the rules under the TCPA. In light of the decision of the U.S. Court of Appeals for the District of Columbia in *ACA International v. FCC*—which struck down much of the agency's 2015 *TCPA Declaratory Ruling and Order*—I agree it is time for the Commission to establish robust consumer protections in line with federal law. As I predicted in my dissent, the last Administration's order has left both the American customer and American enterprise worse off. This cannot possibly be what Congress intended.

The Commission is now poised to examine and reconsider these issues. On May 14, 2018, the Commission sought comment on the definition of an “automatic telephone dialing system,” the treatment of calls to reassigned numbers, and the scope of a consumer's right to revoke prior express consent to receive robocalls. We also sought renewed comment on reconsidering the *Broadnet* decision and the 2016 *Federal Debt Collection Rules*, as well as the interplay between the *Broadnet* decision and the Budget Act amendments. The comment and reply period closed on June 28, 2018, and Commission staff is now reviewing the record. We will be sure to include your comments in the record of the proceeding and take them into account as we move forward.

I look forward to working with my colleagues on addressing these issues while continuing our many other efforts to combat illegal robocalls. Please let me know if I can be of any further assistance.

Sincerely,

  
Ajit V. Pai

P.S. Also want to say thanks  
for your supportive words  
about our Connect America  
Fund auction - we're optimistic too that this will get more  
people in West Virginia connected!