

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL,
APPROVING IN PART AND DISSENTING IN PART**

Re: *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278; Broadnet Teleservices LLC Petition for Declaratory Ruling; National Consumer Law Center Petition for Reconsideration and Request for Stay Pending Reconsideration of Broadnet Teleservices LLC Petition for Declaratory Ruling; Professional Services Council Petition for Reconsideration of Broadnet Teleservices LLC Petition for Declaratory Ruling*

We're all tired of robocalls. But these annoying calls are more than just a nuisance. They are degrading communications and destroying trust in our networks.

We have tools to address them, including the Telephone Consumer Protection Act. I think it is incumbent on the Federal Communications Commission to use them—every way we can—to reduce the number of these irritating calls.

In this decision we interpret the Telephone Consumer Protection Act and determine how it applies to calls made by federal, state, and local governments—and their contractors. This is a matter that has a thorny history because it's an issue that has been taken up by both Congress and the courts. In light of these prior efforts, today we determine that the Telephone Consumer Protection Act does not apply to calls from federal authorities, but that federal government contractors, state government contractors, local governments, and local government contractors are all subject to its prohibitions on robocalls. So far, so good. But we also determine that state authorities are beyond the reach of this law, meaning robocall restrictions do not apply to the calls they make. It's this last piece that I think is a mistake. Because where the law is at all ambiguous, and even if it may be a close call, I think this agency should side with consumers and their cry to cut down the number of robocalls they receive. For this reason, I approve in part and dissent in part.