

**STATEMENT OF
CHAIRMAN TOM WHEELER**

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

Unwanted calls continue to be the top consumer complaint we receive at the Commission. It is vital that we continue to use all the tools at our disposal to help protect consumers against unwanted calls.

Consumers want and deserve control over the calls and text messages they receive. To that end, we continue to push carriers and other providers to offer consumers robocall filtering tools. Last year, in our Omnibus ruling, we reinforced and further clarified our robocall restrictions, including placing limits on calls to reassigned numbers.

Today's action complies with a specific directive from Congress while taking steps to protect consumers.

In its passage of the Bipartisan Budget Act of 2015, Congress directed that robocalls to help collect federally-backed debt, such as some mortgages and student loans, must be allowed without prior consent. At the same time, Congress empowered the Commission to set limits on such calls. That is what we are doing in the order released today.

With this Report and Order, the Commission is establishing strong, pro-consumer limits on robocalls to collect federal debt. Wherever possible, the Commission has sought to limit the number of unwanted robocalls and ensure consumers have the tools to stop them. This is true in this order as it was in last year's Omnibus ruling.

Today's rules limit the number of robocalls, including text messages, to three per month. The new rules also only allow robocalls concerning debts that are delinquent or at imminent risk of delinquency, unless there is prior express consent otherwise.

The new rules require that, absent consent, callers only call the individual who owes the debt, not his or her family or friends. This includes limiting the number of robocalls allowed to reassigned numbers, consistent with last year's Omnibus robocall ruling.

The new rules reiterate that consumers have the right to stop calls they do not want at any point they wish, and require callers to inform consumers of that right.

The new rules place limits on the duration of calls (excluding required disclosures). Specifically, pre-recorded or artificial voice calls cannot exceed 60 seconds and text messages cannot exceed 160 characters.

The new rules apply to each caller, rather than each debt. Otherwise, consumers who have multiple loans with a single owner of the debt, as many do, could be receiving an excessive number of robocalls per month to their cell phones. This limitation prevents that from occurring.

In addition, the Commission's rules limit the time of day when robocalls can take place, requiring that no robocalls can may be made before 8 a.m. and after 9 p.m. local time at the called party's location.

These protections are particularly important following a January Supreme Court ruling that federal government entities conducting official business are not subject to robocall limits unless Congress says otherwise. Our decision implements Congress's directive and responds to thousands of comments from consumers expressing frustration with robocalls and urging clear, strong limits on debt collection calls.

It is important to note that our decision *will not* open a door for telemarketing calls. Congress specified that excepted calls must be "solely" to collect a federal debt, and we have ensured they do not go beyond that.

Congress gave us a quick deadline to implement these new rules. I am proud that we have met that deadline and thank my fellow Commissioners and other Federal agencies for their helpful input into the decision.