



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 27, 2016

The Honorable John Kline
U.S. House of Representatives
2439 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Kline:

Thank you for your inquiry regarding the Commission's implementation of Section 301 of the Bipartisan Budget Act of 2015.

In Section 301, Congress specifically allows robocalls without consumer consent if placed for the purpose of collecting federal debt. At the same time, Congress also gave the Commission specific jurisdiction to limit such calls. As you note, these provisions balance the federal government's responsibility to collect its debts while respecting individuals' right to privacy.

Last month, in accordance with Section 301's statutory deadline, the Commission adopted an order establishing rules for federal debt collection robocalls. Both the record in this proceeding and the Commission's complaint data make clear that consumers want and deserve control over the calls and text messages they receive. Unwanted calls continue to be the top consumer complaint we receive at the Commission, and it is vital that we continue to use all the tools at our disposal to help protect consumers against such calls. As a result, the rules we adopted limit the number of calls per month, ensure the correct person is called, and allow consumers to stop such calls.

The new rules limit the number of federal debt collection robocalls, including text messages, to three per month. As you point out, when live contact is made, the servicer should be able to make future contact as necessary with the borrower's permission. Consistent with this approach, the order states that callers may make additional calls so long as they obtain the consent of the debtor or contact consumers without making a robocall. The order also acknowledges that, in some cases, more than three calls may be appropriate even without consent. Consequently, the order makes clear that parties, including federal agencies, may seek a waiver of the three-call limit where circumstances warrant.

The new rules also allow federal student loan servicing calls to help students stay current on their debt and repay their loans. In addition to allowing calls concerning debts that are delinquent, the new rules allow robocalls concerning debts that are at imminent risk of delinquency to prevent borrowers from defaulting on their loans.

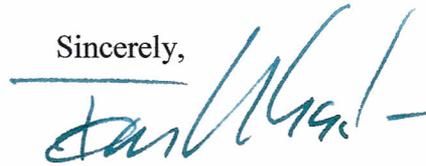
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In addition, the new rules provide federal student loan servicers with sufficient time to interact with borrowers. Specifically, the Commission's rules do not place limits on the duration of live connections.

I believe that the new rules appropriately implement Congress's directive while responding to thousands of comments from consumers expressing frustration with robocalls and urging clear, strong limits on debt collection calls.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a horizontal line drawn above the signature.

Tom Wheeler