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GREG ZOELLER



February 10, 2016

The Honorable John Thune, Chairman
The Honorable Bill Nelson, Ranking Member
Senate Committee on Commerce, Science, and Transportation
512 Dirksen Senate Building
Washington DC, 20510

Dear Senator Thune and Senator Nelson:

On behalf of the consumers of the signatory states, we write to urge the Committee on Commerce, Science, and Transportation to pass the “Help Americans Never Get Unwanted Phone calls Act of 2015” or “HANGUP” Act. The HANGUP Act repeals a recent amendment to the Telephone Consumer Protection Act (TCPA) allowing debt collection robocalls to consumers’ cell phones. By passing the HANGUP Act, the federal government has the opportunity to stop the barrage of debt collection robocalls that can be misdialed, at times harassing and frustrating our citizens who pay for such calls to their cellular numbers.

Each year, the largest number of consumer complaints our offices receive are about unwanted telemarketing calls, with robocalls and debt collection calls at the top of the list. Prior to the amendment, the TCPA prohibited all robocalls to cell phones. This prohibition protected consumers and provided a mechanism to combat these unwanted calls. As amended, the TCPA now permits citizens to be bombarded by unwanted and previously illegal robocalls to their cell phones if the calls are made pursuant to the collection of debt owed to or guaranteed by the United States. It is inappropriate to grant debt collectors the right to harass citizens simply because the debt has a nexus to the federal government when the law specifically prohibits all other private and public entities, including political callers, from doing so.

As state Attorneys General, we are on the front lines of consumer protection for millions of Americans harassed by unwanted and unwelcome robocalls. Our offices work diligently to prosecute those who violate state and federal laws intended to prevent such calls. However, the recent amendment to the TCPA is a step backward in our law enforcement efforts.

The Federal Communications Commission (“FCC”) recognizes the proliferation of robocalling and the need to combat these unwanted calls. On June 18, 2015, the FCC formally adopted a rule change which states that federal law does not prohibit telecommunication service providers from offering, upon a

customer's request, services intended to block unwanted calls. This clarification moved enforcement efforts forward and armed consumers with ways to prevent unwanted calls.

The Committee on Commerce, Science, and Transportation has the opportunity to further advance these efforts and provide citizens with much needed protection from unwanted calls. By passing the HANGUP Act to repeal the TCPA amendment, citizens will benefit from the prohibition of all robocalls to cell phones, regardless of the content of the call. We urge you to act without delay.

Respectfully,



Greg Zoeller
Indiana Attorney General




Chris Koster
Missouri Attorney General



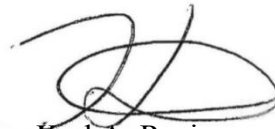
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Cynthia H. Coffman
Colorado Attorney General



George Jepsen
Connecticut Attorney General



Karl A. Racine
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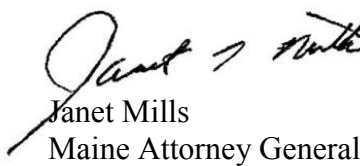
Doug Chin
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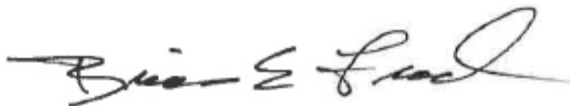
Derek Schmidt
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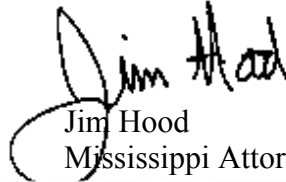
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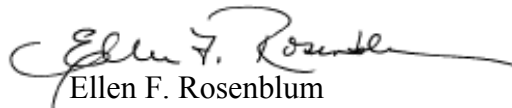
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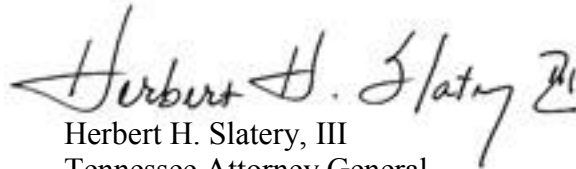
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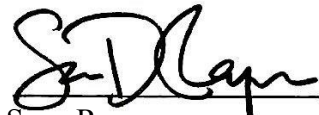
Ellen F. Rosenblum
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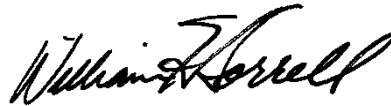
Peter F. Kilmartin
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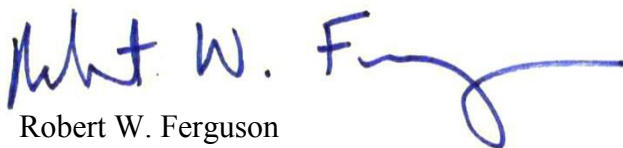
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Copy: The Honorable Paul Ryan, Speaker, United States House of Representatives
The Honorable Nancy Pelosi, Minority Leader, United States House of Representatives
The Honorable Mitch McConnell, Majority Leader, United States Senate
The Honorable Harry Reid, Minority Leader, United States Senate