



TCPA REFORM BILL KILLED BY SPONSOR

The sponsors of the Mobile Informational Call Act of 2011 (H.R. 3035) have, in the face of strong opposition, sent a letter to the chairman of the House Energy and Commerce Committee in which they requested that the legislation not be advanced. H.R. 3035 would have expanded the permissible use of autodialers for non-solicitation purposes (*e.g.*, payment reminders). See our *Alert* of October 21, 2011. The bill also would have broadened the definition of "prior express consent" under the Telephone Consumer Protection Act, such that a customer could "consent" simply by providing a telephone number as a means of contact.

While the bill received strong support from a variety of industry groups, consumer groups widely opposed the bill, expressing particular concern that consumers would receive significantly more unwanted recorded solicitations and messages, so-called "robo-calls." Attorneys general in almost every state and four U.S. territories signed a letter to Congress, urging lawmakers to reject the proposed bill, expressing concerns about call volumes, potential added costs to consumers with limited phone plans, robo-calls, traffic safety (believing consumers incapable of avoiding calls while driving), etc. The attorneys general appeared to target concerns about debt collection calls in particular, notwithstanding that their governments would stand to benefit. □

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