

October 26, 2017

The Honorable Maureen K. Ohlhausen
Acting Chairwoman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Acting Chairwoman:

I write to you regarding the Federal Trade Commission's work on combating robocalls and request that you continue your efforts to stop these unscrupulous actors from harassing consumers.

As you know, the federal "Do Not Call" rules and the National Do Not Call Registry apply to a plan, program, or campaign to sell goods or services through interstate phone calls. This includes telemarketers who solicit consumers, often on behalf of third party sellers. It also includes sellers who provide, offer to provide, or arrange to provide goods or services to consumers in exchange for payment.¹ Despite this, consumers throughout the U.S. continue to receive unwanted robocalls. According to FTC data, the agency has received over 1,400 complaints from New Jersey residents so far this year.² Robocalls are not merely an inconvenience: in 2016, over 22 million Americans lost \$9.5 billion to robocall scams.³ And the problem only seems to be growing. I am hearing from more and more constituents in New Jersey who are consistently harassed by these calls. It's clear that the "Do Not Call" registry is not enough.

I am glad to see the FTC pursue robocallers.⁴ However, enforcement actions against robocall firms are only part of the solution. The announcement by the FTC in August that it would share robocaller phone numbers to telecommunications carriers and other industry partners is a step in the right direction but more needs to be done. I urge the Commission to continue its work with carriers and consumers to find a solution to the robocall scourge. I also ask that you encourage carriers to increase the availability of blocking technology to consumers. Unfortunately, too many consumers are not even aware that such technology exists. Lastly, I hope the FTC and carriers work together on any future legislation to address the robocalls. The FTC and carriers must work together to do what's best for the American consumer.

¹ <https://www.donotcall.gov/faq/faqbusiness.aspx#who>

² http://www.nj.com/news/index.ssf/2017/09/spam_calls_on_the_rise_again.html

³ <https://www.nbcnews.com/tech/tech-news/robocall-scams-are-costing-us-billions-millennials-are-prime-target-n748901>

⁴ <https://www.ftc.gov/news-events/press-releases/2017/10/ftc-testifies-us-senate-special-committee-aging-continuing-fight>

I appreciate your attention to this important issue and I look forward to working with you to stop robocalls and protect consumers.

Sincerely,

A handwritten signature in blue ink, reading "Robert Menendez." The signature is fluid and cursive, with a large initial "R" and a trailing period.

ROBERT MENENDEZ
United States Senate