

TCPA

Outdated Policy

In 1991, when wireless phones were deemed a “luxury item”, the Telephone Consumer Protection Act (TCPA) was enacted to address certain telemarketing practices considered an invasion of consumer privacy for calls to wireless phones (but not to landline phones).

Wireless Consumers

Today, 90% of Americans own wireless telephones, and 58.8% of households are mostly or entirely wireless-only. While consumer preferences have changed, the FCC made it harder – and expensive – for businesses to contact their customers.

Damaging Partisan FCC Order

On June 18, 2015, the FCC approved an order along party lines that will ultimately lead to a chilling of beneficial communications to consumers by further opening the floodgates for litigation against compliance-minded American businesses. Specifically, the FCC’s interpretation of an automatic dialer, called party for reassigned numbers, and revocation of consent especially harmed elective, useful communications.

Consumers & Businesses Need Congress’ Help

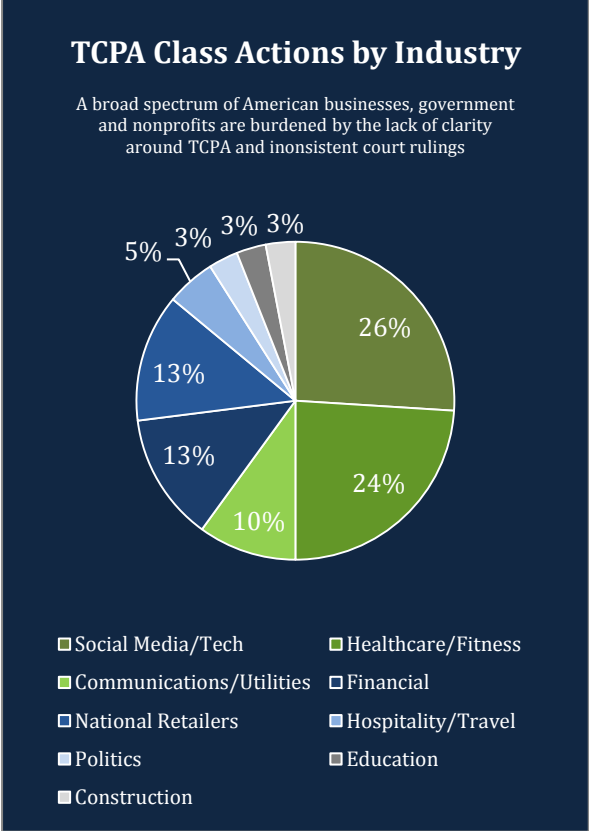
Congress needs to update the TCPA to allow companies to send normal, expected, and desired communications to consumers without fear of litigation.

Threatened Beneficial Communications

- Low balance notifications
- Due date reminders
- Fee avoidance alerts
- Account closure and other milestone notices
- Medical appointment reminders
- Natural disaster warnings
- Fraud alerts
- Flight delays and cancellations
- School closures and start delays
- Consumer reports surveys
- Home preservation assistance programs (federal and private)
- FEMA disaster related financial relief and service options

Average attorney payout **\$2.4M**

\$4.12 Average plaintiff award



1991

TCPA Passes.
3% of Americans own a cell phone.

1992

First Text Message Sent

2010

TCPA Litigations Up 940% (2010-15)

2015

Present Day Technology
90% of all Americans own a cell phone