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### Federal Deception Law

Covers key federal standards preventing marketplace deception and federal and parallel state remedies for violations. Special chapter on the TCPA.

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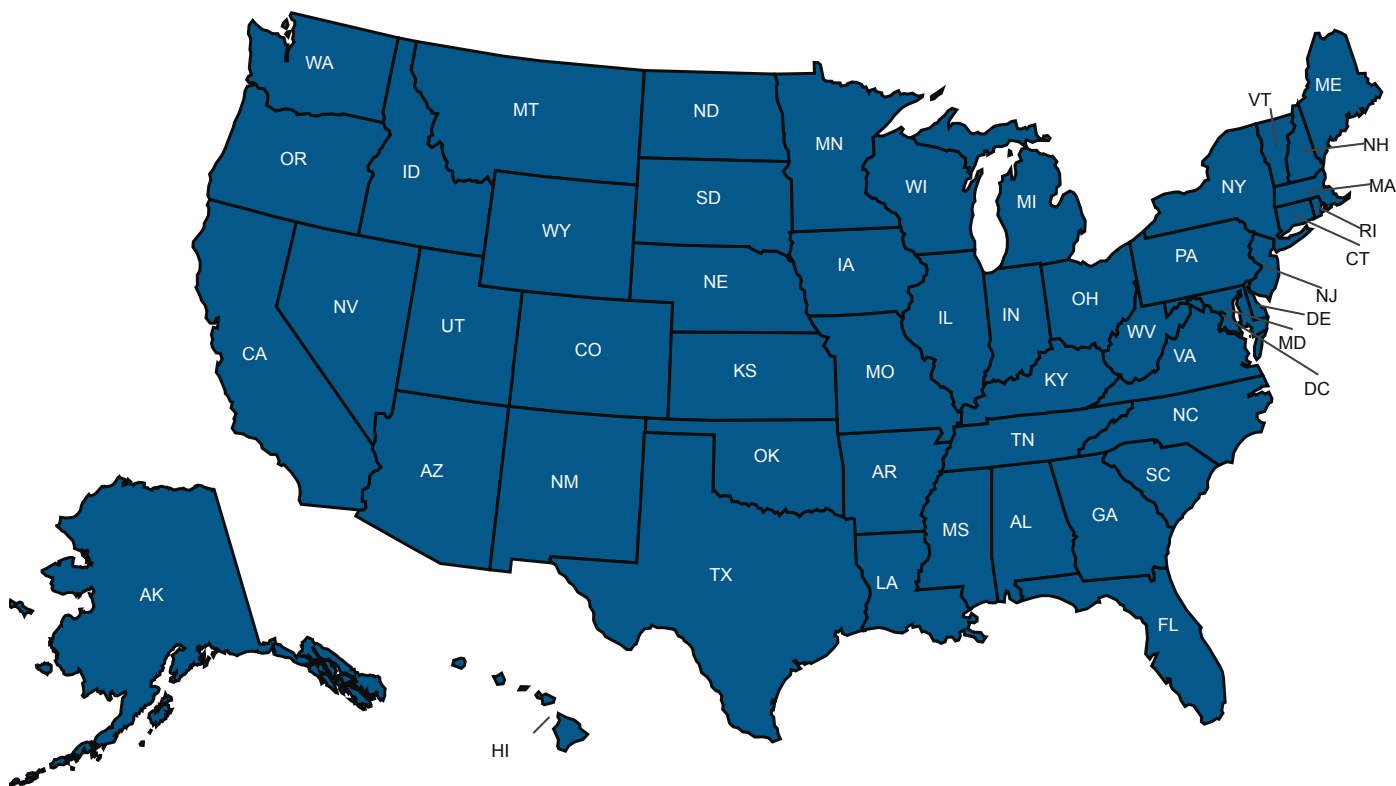
## Robocalls & Telemarketing



Robocalls compromise privacy and public safety, undermine the federal Lifeline telecommunications program by using up low-income consumers' limited minutes, and subject vulnerable consumers to harassing and intrusive telemarketing and debt collection tactics. NCLC works to defend and strengthen consumer laws, particularly the federal Telephone Consumer Protection Act (TCPA), to protect consumers from abusive and illegal practices.

### State-by-State Robocall Data (2017)

**The problem is worse than it seems.** Hover over your state on the map below to see just how many robocalls were made to your friends and neighbors last year (***total appears below the map***). Many of these calls were made illegally, to cell phones without consent.



Powered by [CreateaClickableMap.com](https://createaclickablemap.com)

*Source: YouMail, Robocall Index (2017)*

The Federal Communications Commission has taken aim at scam and spoofed (disguised number) calls but receives frequent requests for exemptions from consumer protection laws from some of the largest banks, telemarketers, and debt collectors. Data shows that large banks and credit card companies consistently rank among the top sources of robocalls. Legitimate businesses making illegal calls to cell phones without consent has led to 2017 being **the worst year on record** for robocalls.

## Top Twenty Robocallers in the United States April 2018

1. Capital One 2. Spam or "Spoofed" Call 3. Spam or "Spoofed" Call 4. <i>Portfolio Recovery Associates (debt collection)*</i> 5. Wells Fargo* 6. <i>Portfolio Recovery Associates (debt collection)*</i> 7. Santander Bank	8. Comcast 9. <i>Portfolio Recovery Associates (debt collection)*</i> 10. Spam or "Spoofed" Call 11. Aesop (substitute teacher openings) 12. Fingerhut 13. AT&T 14. Spam or "Spoofed" Call	15. <i>Encore Receivable Management (debt collection)</i> 16. Barclay's Bank 17. Synchrony Bank 18. <i>Transworld Systems (debt collection)</i> 19. <i>Enhanced Recovery Company (debt collection)</i> 20. Wells Fargo*
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\*\* Callers appearing more than once made outbound calls from more than one number. Source: YouMail, Robocall Index (2018)

**Take Action!** Have you or a loved one been harassed by a bank or debt collector with robocalls to your cell phone? **Help #EndRobocalls.**

Tell the FCC and Congress to stop these unwanted robocalls to cell phones.

### Resources

- Six Top Tips for Consumers to Stop Illegal Robocalls, May 2018

## HOT TOPICS

- Memo: Amicus Brief Filed in the Ninth Circuit Court of Appeals on Behalf of NCLC and NACA in *Marks v. Crunch San Diego, LLC*, Arguing that the FCC's Pre-2015 Orders Defining a Calling System as a Robodialer Remain in Effect, May 21, 2018
- Press Release: NCLC Attorney Margot Saunders Testifies at U.S. Senate Hearing on Stopping Abusive Robocalls; Urges FCC to Strengthen Key Federal Privacy Law, April 18, 2018 || [Testimony](#)
- Memo: The Effect of *ACA International*: What Does it Vacate, What Does it Undermine, What Rules Remain?, April 2, 2018 [PDF](#) || [MS Word](#)
- Amicus brief filed in the Ninth Circuit Court of Appeals on behalf of the National Consumer Law Center and the National Association of Consumer Advocates in *Marks v. Crunch San Diego, LLC*, arguing that the FCC's pre-2015 orders defining a calling system as a robodialer remain in effect (May 21, 2018)
- Press release: D.C. Court Decision: Ball is Now in FCC Chairman Pai's Court to Protect Consumers from Robocalls, March 16, 2018
- Press release: Robocall Problem Even Worse than FTC Data Shows, Jan. 4, 2018

## Press

- **5/24/18 BYU Radio "Robocalls on the Rise"** NCLC Senior Counsel Margot Saunders joins Julie Rose for her "Top of Mind" broadcast to discuss the rising toll robocalls take on consumer privacy and what can be done to stop them.
- **5/18/18 Vice: Motherboard "Our Robocall Hell Is a Result of Inconsistent Enforcement and Carrier Apathy"** quotes NCLC Senior Counsel Margot Saunders discusses the failure of telephone service providers and regulators to do enough to stop robocalls.
- **5/16/18 Slate "There Are Two Big Reasons Robocalls Are Getting Worse"** quotes NCLC Senior Counsel Margot Saunders and explains the FCC's mistake in only addressing scam robocalls "while largely ignoring the aggressive robocalling behavior of legitimate businesses."
- **1/17/18 NBC News "It's not just you--Americans received 30 billion robocalls last year"** quotes NCLC Senior Counsel Margot Saunders on the volume of robocalls and company's efforts to amend the rules to make even more robocalls.
- **11/20/17 WIRED "The Robocall Nightmare Is Only Getting Worse--But Help Is Here"** quotes NCLC Senior Counsel Margot Saunders on the prevalence of unwanted robocalls from banks and debt collectors while the FCC remains focused on scam calls.
- **6/26/17 The Hill op-ed "Consumers Need Strong Protections from Robocalls"** by NCLC Senior Counsel Margot Saunders.

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## Policy Analysis

### Policy Briefs, Reports & Press Releases

- [Press Release: NCLC Attorney Margot Saunders Testifies at U.S. Senate Hearing on Stopping Abusive Robocalls; Urges FCC to Strengthen Key Federal Privacy Law](#), April 18, 2018
- [Press release: D.C. Court Decision: Ball is Now in FCC Chairman Pai's Court to Protect Consumers from Robocalls](#), March 16, 2018
- [Press release: Advocates to FCC: Do More, Much More to Block Unwanted Robocalls](#), Feb. 23, 2018
- [Press release: Robocall Problem Even Worse than FTC Data Shows](#), Jan. 4, 2018

[More policy briefs, reports & press releases >>>](#)

### Comments and Testimony

- [Consumer groups comments to the FCC in support of the FCC's consideration of the creation of a reassigned number database](#), May 29, 2018
- [Testimony before the Senate Committee on Commerce, Science, and Transportation regarding the Escalating Problem of Unwanted Robocalls and What To Do About It](#), April 18, 2018
- [Consumer groups comments to the FCC re: Advanced Methods to Target and Eliminate Unlawful Robocalls](#), Feb. 22, 2018
- [Consumer group comments to the FCC re: Advanced Methods to Target and Eliminate Unlawful Robocalls](#), Jan. 23, 2018

[More comments and testimony >>>](#)

### Letters

- [Group letter urging FCC to Initiate Enforcement Action Against Navient for Violations of the TCPA](#), June 14, 2017 [Exhibit 1](#) and [Exhibit 2](#)
- [Group letter to U.S. Senate supporting S 3026 ROBOCOP Act to reduce robocall abuses and opposing S 2644 FCC Reauthorization Act to weaken TCPA](#), Nov. 15, 2016
- [Letter to the U.S. House Subcommittee on Communications and Technology supporting HR 4932 \(Robocop Act\)](#), Sept. 22, 2016

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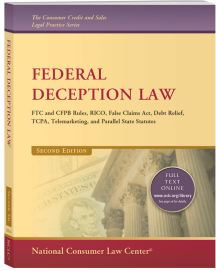
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