

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

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November 3, 2011

The Honorable Greg Walden  
Chairman  
Subcommittee on Communications and  
Technology  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Anna Eshoo  
Ranking Member  
Subcommittee on Communications and  
Technology  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Walden and Ranking Member Eshoo:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports H.R. 3035, the "Mobile Informational Call Act of 2011." This legislation would update the Telephone Consumer Protection Act (TCPA) to help ensure that consumers can receive time-sensitive information on their mobile devices, while maintaining current restrictions designed to protect wireless users from unwanted telemarketing calls.

When the TCPA was enacted, cell phones were luxury devices with very expensive per-minute charges. However, flat-rate plans and other very affordable wireless options have become the norm. Nearly 40% of consumers now rely on wireless phones as their primary or exclusive means of communication, according to the Centers for Disease Control.

Unfortunately, the TCPA has not kept pace with changes in the wireless industry and how consumers use mobile devices. The TCPA prohibits the use of assistive technology—such as autodialers—to contact wireless users with important notifications, but permits hand-dialed communications to consumers. Yet, the use of autodialers and other technology is permitted when contacting wireline consumers. Therefore, the TCPA harms many mobile users—particularly those who do not have wireline phones—by inhibiting the ability of these consumers to receive timely and important informational messages regarding data breaches, power outages, product recalls, fraud alerts, missed delivery of packages, and other similar notifications.

The Chamber looks forward to working with you on this important legislation.

Sincerely,



R. Bruce Josten

Cc: Members of the House Subcommittee on Communications and Technology