

## House Approves Energy and Commerce "Do-Not-Call" Legislation

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### NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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Contact: Jodi Seth or Carrie Annand, 202-225-5735

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Washington, D.C. — The U.S. House of Representatives today passed H.R. 3541, the "Do-Not-Call Improvement Act of 2007," and H.R. 2601, the "Do-Not-Call Registry Fee Extension Act" under suspension of the rules. Both bills originated with the Commerce, Trade and Consumer Protection Subcommittee. H.R. 3541 eliminates the automatic removal of telephone numbers currently included on the federal "Do-Not-Call" registry, while H.R. 2601 authorizes the Federal Trade Commission to continue collecting fees relating to the operations of the Do-Not-Call list through 2012.

Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, one of the original authors of H.R. 2601, delivered the following statement on the House floor today in support of both bills:

"Mr. Speaker, I rise in strong support of H.R. 2601, the Do-Not-Call Registry Fee Extension Act, of which I am the lead Democrat sponsor, and of H.R. 3541, the Do-Not-Call Improvement Act, which the House will consider immediately

following H.R. 2601. These two bills enjoy wide bipartisan support. They strengthen and ensure the continued operation of one of the most popular Federal consumer protection programs ever adopted by the Congress, the registry that allows consumers to list their phone numbers and thereby protect themselves from unwanted telemarketing phone calls.

Congress originally assigned the task of implementing and enforcing the Do-Not-Call Registry to the Federal Communications Commission, but they proved less than enthusiastic and nothing ensued. We then directed the Federal Trade Commission to perform these tasks. To date, the Registry established by the FTC includes over 145 million telephone numbers, and the FTC has initiated 27 cases alleging Do-Not-Call violations, resulting in orders totaling \$8.8 million in civil penalties and \$8.6 million in redress or disgorgement. This is a proud record indeed.

To maintain the success of this program, however, two legislative actions are needed. First, the authority of the FTC to collect fees to support maintenance of the Registry and the related enforcement program expired at the end on September 2007. H.R. 2601, whose lead sponsor is Rep. Stearns, will provide the FTC with a permanent fee structure for this purpose, contingent on approval of the fees in annual appropriations acts. This will provide appropriate oversight over the funding mechanism. The bill also requires the FTC to prepare two reports on the use and effectiveness of the Registry, including allegations regarding abuse surrounding a number of exemptions. The Committee takes these consumer complaints seriously and intends to look into them, in connection with review of the FTC reports.

Second, H.R. 3541 will eliminate the automatic removal of telephone numbers registered on the Registry, subject to certain common sense exceptions, such as at the request of the individual to whom the number is assigned. To maintain the accuracy of the Registry, H.R. 3541 directs the FTC to "periodically" check telephone numbers on the Registry against national or other appropriate databases, and remove from such Registry telephone numbers that have been disconnected and reassigned. The Committee intends for the FTC or any subcontractor to check these numbers at least once a month and preferably more frequently as technology allows. Nothing in this bill prohibits the FTC from removing invalid telephone numbers from the Registry at any time. The Committee expects the FTC to work with industry and technology experts to ensure the accuracy of the Registry. The legislation directs the FTC to report to Congress, not later than nine months after date of enactment, on efforts taken by the agency to improve the accuracy of the Registry. I commend Reps. Doyle and Pickering for their strong bipartisan leadership on this legislation.

I urge my colleagues to vote for this strong package of important consumer protections, and I urge similar action by the other body. The American people would appreciate having this gift under their Christmas trees this year."

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Prepared by the Committee on Energy and Commerce

2125 Rayburn House Office Building, Washington, DC 20515

