

Top members of the House Energy and Commerce Committee are pressuring the Federal Communications Commission (FCC) not to ban robocalls to cell phones.

Committee Chairman Fred Upton (Mich.) and **Reps. Lee Terry (R-Neb.)**, John Shimkus (R-Ill.) Marsha Blackburn (R-Tenn.), Cliff Stearns (R-Fla.), and others wrote to the FCC in December to oppose such a ban. The FCC released the letter and its response on Thursday.

The members are worried that restrictions proposed by the FCC last year would ban automated calls to cell phones -- even when the caller isn't a telemarketer. The ban exempts nonprofit, emergency and political calls.

The House members say the requirements may be harmful to consumers who don't have landline phones. The rules "would make it more difficult for consumers to receive critical information in a timely manner," they said.

For example, credit card companies use prerecorded messages to warn customers about suspicious activity in their accounts, the members said. "Airlines use such methods to alert travelers that their flights have been cancelled or delayed. Pharmacies notify customers when prescriptions are ready."

Tough restrictions could mean consumers who "cut the cord" will be unreachable, "even during urgent situations," the letter says. It would also create a tougher regime for wireless phone providers in comparison wireline, according to the House members.

The FCC's proposal makes allowances for companies who have established business relationships with consumers, but opponents worry the language isn't clear enough.

The FCC proposed last year to amend its rules related to the Telephone Consumer Protection Act of 1991, which predates robocalling. The proposal would force autodialers to receive opt-in permission from consumers if they are to make these calls. The proposal also seeks to harmonize FCC standards with Federal Trade Commission (FTC) rules, which include a Do-Not-Call registry.

"Those changes will empower consumers to choose the messages they wish to receive and avoid those they do not," Genachowski said when he unveiled the overhaul.

The proposal had support from all the FCC commissioners last year, but the two Republican commissioners raised concerns about how it would impact consumers' established business relationships.

The impact of the new rules would be far-reaching. The Treasury Department, the Education Department, and the Federal Reserve have all sought changes to the proposal. So have the financial industry and wireless companies.

FCC Chairman Julius Genachowski responded to the letter by saying his staff is reviewing the issue.

