

July 31, 2017

Commission's Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: *Advanced Methods to Target and Eliminate Unlawful Robocalls
Reply Comments
CG Docket No. 17-59***

To Whom it May Concern:

The American Financial Services Association (AFSA)¹ submits this letter in support of Quicken Loan's July 3 comment letter on the Federal Communications Commission's (FCC) Notice of Proposed Rulemaking and Notice of Inquiry on Advanced Methods to Target and Eliminate Unlawful Robocalls (NPRM/NOI).

Quicken Loans' letter provides an alternative definition of the term "illegal robocall" and AFSA encourages the FCC to adopt Quicken Loans' definition, with minor modifications.

In the NPRM/NOI, the FCC defines "illegal robocall" as:

"One that violates the requirements of the Telephone Consumer Protection Act of 1991, the related FCC regulations implementing the Act, or the Telemarketing Sales Rule, as well as any call made for the purpose of defrauding a consumer, as prohibited under a variety of federal and state laws and regulations, including the federal Truth in Caller ID Act."²

AFSA fully understands the difficulty of defining "robocall." We appreciate the FCC's effort, but agree with Quicken Loans that, "...this definition is somewhat circular. It doesn't tell us what a robocall is."³ AFSA agrees with Quicken Loans that the final rule should define "robocall" so that it is clear as to what is included in the definition and what is not included.

Quicken Loans' letter explains, "'Robocall' is a contraction of robotic call, and encapsulates the original issue for what the statute was passed ... calls from 'robots,' as it were."⁴ AFSA supports Quicken Loans definition, with minor modifications. AFSA suggests that the FCC define a "robocall" as:

¹ Founded in 1916, AFSA is the national trade association for the consumer credit industry, protecting access to credit and consumer choice. AFSA members provide consumers with many kinds of credit, including traditional installment loans, mortgages, direct and indirect vehicle financing, payment cards, and retail sales finance.

² See *Advanced Methods to Target and Eliminate Unlawful Robocalls* at 6, n. 13.

³ See *Quicken Loans Comment on Advanced Methods to Target and Eliminate Unlawful Robocalls* at 2.

⁴ *Ibid.*

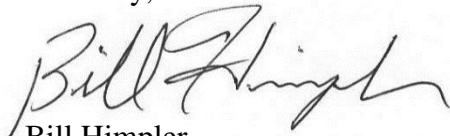
“Any telephone call or text to a telephone number using an artificial voice or prerecorded message where a live person is not available to communicate with the intended recipient of the call after connection to the telephone number called.”⁵

AFSA believes that this clear, descriptive definition will help to prevent inconsistent interpretations and allow both consumers and businesses to understand their rights and obligations.

* * *

AFSA thanks the FCC for taking this important step in offering a solution to consumers plagued by robocalls that will not negatively affect calls made by legitimate businesses to their customers. Please contact me by phone, 202-466-8616, or email, bhimpler@afsamail.org, with any questions.

Sincerely,

A handwritten signature in black ink that reads "Bill Himpler". The signature is written in a cursive style with a large, stylized "B" and "H".

Bill Himpler
Executive Vice President
American Financial Services Association

⁵ *Ibid.*