

July 17, 2019

The Honorable Susan Collins  
Chairwoman  
Special Committee on Aging  
United States Senate  
Washington, DC 20515

The Honorable Bob Casey  
Ranking Member  
Special Committee on Aging  
United States Senate  
Washington, DC 20515

Dear Chairwoman Collins and Ranking Member Casey:

The Electronic Transactions Association (ETA) submits these comments ahead of the Senate Special Committee on Aging hearing, titled *Combatting Robocall Fraud: Using Telecom Advances and Law Enforcement to Stop Scammers and Protect Seniors*.

ETA is the leading trade association for the payments industry, representing over 500 companies that offer electronic transaction processing products and services; its membership spans the breadth of the payments industry to include independent sales organizations, payments networks, financial institutions, transaction processors, mobile payments products and services, payments technologies, equipment suppliers, and online small business lenders.

We share the Committee's concern about bad actors who intentionally flout laws or mask their identity and location are a nuisance, or even worst, predatory for many consumers. Efforts made to detect and eliminate these calls are important for consumer protection and to instill confidence about who is calling.

However, it is imperative lawmakers recognize the difference between actual unwanted telemarketing calls, where an unknown merchant is attempting to sell to a consumer, and purely informational calls involving communication between businesses and their existing customers.

This distinction is important because ETA companies are not telemarketers - but financial services companies who have, or service, a business relationship with a customer. ETA companies either have a direct relationship with an individual consumer or communicate with existing customers on behalf of financial institutions with which they are associated. Protecting their customers' personal data and financial information is paramount.

The lack of modernizing the Telephone Consumer Protection Act (TCPA) is unfortunately resulting in significant harm to consumers, particularly in the payments industry, by hampering legitimate businesses from contacting their customers using the most efficient technology to provide them with information that consumers deserve to know and know promptly. ETA member companies seek to communicate with consumers to prevent fraudulent use of their accounts by criminals and provide updates about their accounts.

ETA supports many of the efforts to target and eliminate unlawful calls in order to distill these communication channels so that customers can trust and receive the calls about their personal financial information. We look forward to working with lawmakers, regulators, and key stakeholders to further strengthen the TCPA so that consumers get the information they want and deserve from the companies with which they do business.

We appreciate your leadership on this important issue and for convening this hearing. If you have any questions, please feel free to contact me directly at [stalbott@electran.org](mailto:stalbott@electran.org).



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Sincerely,

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