

Durbin, Schakowsky Introduce Bicameral Bill To Stop Illegal Robocalls

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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL) and U.S. Representative Jan Schakowsky (D-IL-09) today reintroduced the *Protecting American Consumers from Robocalls Act*, a bill that would help end the plague of illegal robocalls in America. The legislation would give the *Telephone Consumer Protection Act (TCPA)* and the Do-Not-Call Registry teeth by providing all telephone subscribers, including small businesses, the ability to seek damages for all unconsented-to telemarketing calls immediately after such a call.

Robocalls have become a widespread annoyance, but are also costing consumers billions of dollars. In 2023, 56 million Americans lost more than \$25 billion to robocall scams. These scams are also becoming more advanced with the creation of Voice over Internet Protocol (VoIP) technology, which has lowered the cost of dialing to allow scammers to bombard non-consenting consumers with never-ending calls for pennies on the dollar. Lead-generators compound this issue by inviting consumers to provide their information

on one platform only to misuse and sell this information to hundreds of robocallers. In addition, through neighbor spoofing—a deceptive practice that allows callers to disguise the number from which they are calling—scammers can trick unknowing consumers into answering the phone. AI-generated voices that impersonate celebrities, family members, and elected officials makes scammers even more difficult to detect.

Robocall scams often target the most vulnerable within our communities, including senior citizens, immigrant communities, and people with disabilities. Small businesses also are bombarded with these illegal calls, creating additional and burdensome costs and interfering with productivity.

“Like millions of Americans, I’ve experienced the nuisance of constant robocalls. At best, these calls are an insatiable annoyance, and at worst, these calls prey on consumers by trying to undermine someone’s personal privacy and financial information,” Durbin said. “It’s time to put an end to this. It’s my hope that by putting real enforcement behind each violation of the Do-Not-Call Registry, the *Protecting American Consumers from Robocalls Act* will protect Americans from the scammers on the other end of the phone line.”

“Do not call means do not call! Illegitimate and intrusive robocalls are out of control. I have heard from constituents who receive half a dozen or more calls per hour. As of late, Artificial Intelligence (AI) has made matters even worse by deceiving people into thinking they are talking to a friend or loved one in need of assistance, when actuality, they are talking to a bot,” said Schakowsky. “That is why I am proud to introduce the *Protecting American Consumers from Robocalls Act* which will empower consumers and small businesses to seek damages after just one illegal robocall. We must act now to implement pro-consumer guardrails on these bad actors.”

Americans received more than 55 billion robocalls in 2023, and Illinois residents received nearly 2.2 billion, the sixth highest among all states. Despite repeated legislative efforts, regulatory enforcement actions, and the proliferation of call-blocking mobile applications, robocalls continue to plague everyday Americans at alarming rates.

Specifically, the *Protecting American Consumers from Robocalls Act*:

- Allows small businesses to add their numbers to the Do-Not-Call Registry.
- Provides landline and cellular consumers, including small businesses, who have telephone numbers on the Do-Not-Call Registry, a private right of action after receiving one telephone call by or on behalf of the same entity in violation of the TCPA.
- Ensures that a minimum of \$500 can be levied for each violation of the Do-Not-Call Registry.

In 1991, Congress passed the *TCPA* in response to a spike in telemarketing calls. The *TCPA* prohibits calls using an automatic telephone dialing system or a prerecorded voice, including AI-generated voices, from being made to cell phones without the prior express consent of the call recipient. While the *TCPA* also prohibits telemarketing calls to landlines without prior consent, these rules routinely are ignored because the enforceable penalties only apply if there are two or more calls in a 12-month period to the same line from the same caller.

The *Protecting American Consumers from Robocalls Act* is cosponsored by U.S. Senators Tammy Duckworth (D-IL), Ed Markey (D-MA), Mazie Hirono (D-HI), Tina Smith (D-MN), Angus King (I-ME), Peter Welch (D-VT), and Bernie Sanders (I-VT).

The bill is endorsed by the National Consumer Law Center (on behalf of its low-income clients), Consumer Action, Consumer Federation of America, Electronic Privacy Information Center, National Consumer League, and Public Citizen.

Full text of today's bill is available [here](#).