

**February 2, 2021**

**ATTORNEY GENERAL KWAME RAOUL DEFENDS ABILITY OF STATE ATTORNEYS GENERAL TO FIGHT AGAINST ROBOCALLS**

**Chicago** — Attorney General Kwame Raoul today joined a bipartisan coalition of 35 attorneys general in filing an [amicus brief](#) in *Lindenbaum v. Realgy* arguing that the Telephone Consumer Protection Act's (TCPA) robocall ban was enforceable from 2015 to 2020.

"Complaints related to robocalls continue to be among the most common consumer complaints in Illinois and nationally," Raoul said. "Robocalls are more than just a nuisance, as they cost consumers time and money as well as violate their privacy, and I will continue to work to protect consumers from this illegal practice."

In 2015, an exception was enacted in the TCPA allowing for calls and texts to collect on debts owed or guaranteed to the federal government. In 2020, the U.S. Supreme Court invalidated that exception and severed it from rest of the TCPA. Shortly after that decision, a district court ruled in *Lindenbaum v. Realgy* that because part of the law was struck down, the remainder of the TCPA also cannot be used to hold robocallers accountable for their actions between 2015 and 2020.

The brief, filed in the U.S. Court of Appeals for the 6th Circuit, asks the court to reverse the lower court's ruling. Raoul and the coalition argue that the Supreme Court's 2020 decision made clear that the invalid government-debt exception did not affect the TCPA's primary robocall ban. It further argues that the district court's decision was inconsistent with basic principles on severability.

Raoul and the coalition argue that state attorneys general are at the forefront of the fight against robocalls, which are immensely frustrating and can cause real financial harm to people. In January 2020, people received more than 4.7 billion robocalls nationwide. Raoul and the coalition have several ongoing enforcement actions under the TCPA, and invalidating the law on a technicality would let robocallers off the hook. Raoul and the coalition also argue that aside from the government debt exception, the rest of the TCPA can and must be upheld so it can be enforced.

Joining Raoul in the brief are the attorneys general of Alaska, Arizona, Arkansas, California, Connecticut, Delaware, District of Columbia, Hawaii, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, and Washington