

FCC Consumer Advisory

Do-Not-Call Rules - What Consumers Can Do

There has been a great deal of confusion over the past week about whether a National Do-Not-Call Registry is going to go into effect and what consumers can do about unwanted telemarketing calls when the rules become effective on October 1, 2003.

FCC Chairman Michael Powell has outlined a number of separate options for consumers who have put their names on the National Do-Not-Call Registry and are called by telemarketers on or after October 1, 2003:

- Instruct the telemarketer to place you on the company-specific do-not-call list. For your own reference, make a note of the date and time you asked to be put on the company-specific list. Having this information may be helpful if you get called again by the same company and wish to file a complaint with the FCC; OR
- Tell the telemarketer that you are on the National Do-Not-Call list and ask the telemarketer if he or she has that list. Make a note of this for your records. Having this information may be useful if you elect to file a complaint; OR
- Explore whether your state has its own do-not-call list. Contact your State Attorney General's office for more information.

Filing a Complaint

- In addition to complaints about do-not-call violations, you can also file a complaint if the telemarketer is calling from your state or another state for a commercial purpose (e.g., not charitable organizations) AND;
- The telemarketer calls before 8 AM or after 9 PM; OR
- The telemarketer leaves a message, but fails to leave a phone number that you can call to sign up for their company specific do-not-call list; OR
- You receive a telemarketing call from an organization whom you have previously requested not call you; OR
- The telemarketer firm fails to identify itself; OR



- You receive a pre-recorded commercial message from someone with whom you do not have an established business relationship and to whom you haven't given permission to call you.

How to File a Complaint

You can file a complaint by email (donotcall@fcc.gov), telephone 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY, or mail. Your complaint should include:

- name, address, and telephone number where you can be reached during the business day;
- the telephone number involved with the complaint; and
- as much specific information as possible, including the identity of the telemarketer or company contacting you, the date on which you put your number on the national Do-Not-Call registry or made a company-specific do-not-call request, and the date(s) of any subsequent telemarketing call(s) from that telemarketer or company.

If mailing a complaint, send it to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, DC 20554

Consumer Private Right of Action

In addition to filing a complaint with the FCC, consumers may explore the possibility of filing an action in a state court.

For more information about the Telephone Consumer Protection Act (TCPA), go to www.fcc.gov/cgb/consumerfacts/tcpa.html. For information about unwanted faxes, go to www.fcc.gov/cgb/consumerfacts/unwantedfaxes.html.

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