



Notice to Telemarketers

Congress enacted the Telephone Consumer Protection Act (TCPA) in 1991 that restricts the making of telemarketing calls and the use of automatic telephone dialing systems and artificial or prerecorded voice messages. In 1993, the Commission adopted rules to implement the TCPA, including the requirement that entities making telephone solicitations institute procedures for maintaining company-specific do-not-call lists. The FCC revised its TCPA rules to establish, in coordination with the Federal Trade Commission (FTC), a national Do-Not-Call registry, which went into effect on October 1, 2003. This registry covers all telemarketers (with the exception of certain nonprofit organizations).

Telemarketers are responsible to comply with the requirements set forth in the FCC's rules at 47 CFR 64.1200 and the FTC rules at 16 CFR 310 and should refer to these rules to ensure compliance. Below is a summary of the requirements and should not be construed as a complete list of requirements:

No person or entity may:

- Initiate any telephone call (other than a call made for emergency purposes or made with the prior express consent of the called party) using an automatic telephone dialing system or an artificial or prerecorded voice.
- Initiate any telephone call to any residential line using an artificial or prerecorded voice to deliver a message without the prior express consent of a called party, unless the call is: 1) made for emergency purposes, 2) not made for commercial purposes, 3) made for a commercial purpose but does not include or introduce an unsolicited advertisement or constitute a telephone solicitation, 4) made to any person with whom the caller has an established business relationship at the time of the call, or 5) made by or on behalf of a tax-exempt nonprofit organization.
- Use a telephone facsimile machine, computer, or other device to send an unsolicited advertisement to a telephone facsimile machine unless: 1) unsolicited advertisement is from a sender with an established business relationship, 2) sender obtained the number through: voluntary communication of such number by recipient directly to the sender within the context of the established business relationship, or a directory, advertisement, or site on the Internet to which the recipient voluntarily agreed to make available.
- Use an automatic telephone dialing system in such a way that two or more telephone lines of a multi-line business are engaged simultaneously.
- Disconnect an unanswered telemarketing call prior to at least 15 seconds or four (4) rings.
- Abandon more than three percent of all telemarketing calls that are answered live by a person, measured over a 30-day period.
- Use any technology to dial any telephone number for the purpose of determining whether the line is a facsimile or voice line.
- Initiate telephone solicitation to any residential telephone subscriber before the hour of 8 a.m. or after 9 p.m. (local time at the called party's location) or a residential telephone number that is registered under their telephone number on the national do-not-call registry.
- Make a call for telemarketing purposes without providing the called party with the name of the individual caller, the name of the person or entity on whose behalf the call is being made, and a telephone number or address at which the person or entity may be contacted.

Telemarketers must maintain a record of a consumer's request not to receive further calls and must honor this do-not-call request for five years.