



CUBFacts^{Phone}

Stopping Telemarketers: The FTC's No-call List

What is the Federal Trade Commission's "do-not-call" registry?

The Federal Trade Commission (FTC) has developed a free "no-call list" to help consumers reduce the number of telemarketing calls they get—something CUB has advocated for years. The list has been running since October 2003, despite pending court cases brought by telemarketing firms challenging the constitutionality of the registry.

Consumers can add each of their phone numbers—including cellular numbers—to the list for free. Any telemarketer calling a number on the list could face a fine of up to \$11,000 per violation.

How do I sign up for the no-call list?

Consumers can sign up for the FTC list via the Internet or by phone. They will have to renew their registration every five years, or when they change phone numbers.

To sign up online, you need to have a working e-mail address. Go to www.donotcall.gov, where you will be asked to list up to three phone numbers you want added to the no-call list. You also will be asked to enter your e-mail address. This is important, because the FTC then will send you a confirmation e-mail for each number registered.

Your phone numbers WILL NOT be added to the FTC no-call list unless you open each of those e-mails and click on a link the FTC provides to confirm your registration.

To sign up for the no-call list over the phone, Illinois consumers can call 1-888-382-1222. Unlike with the online sign-up, consumers who register by phone only are allowed to register one phone number at a time—and you must be calling from the phone number you are registering.

If you want to register other numbers, you must make a separate call for each of them and from each of the phone numbers.

How does the no-call list work?

Beginning in September of 2003 telemarketing firms were required to buy the FTC list and "scrub" their own calling lists of any numbers also on the no-call registry.

Telemarketers have to repeat this procedure every 90 days. That means once you add your phone numbers to the list, telemarketers have up to three months from the date you register to update their own calling lists and stop calling you.

Will the no-call list eliminate all telemarketing calls?

No. The FTC's list will provide protection from most unwanted calls, but there are some loopholes. For example, calls from nonprofit groups, telephone surveyors and politicians are exempt.

Also, companies with which a consumer has an "established business relationship" can call for up to 18 months after a consumer's last purchase or payment or after the company's last delivery. And, if you make an inquiry or submit an application to a company, that company can call you for up to three months.

However, remember that if any of the exempted businesses or organizations employ a professional telemarketing firm to do these sales calls, that firm will be covered by the FTC list. Also, if you ask an exempted entity to stop calling you, it is required to honor that request.

What should I do if I get an illegal telemarketing call?

If you think you've been illegally telemarketed, register a complaint with the FTC, online (www.ftc.gov) or over the phone (1-888-382-1222). But again, remember that there is a "waiting period" of about three months from the date you register be-

fore telemarketers will be prohibited from calling you. Your complaint may be rejected if it comes within this three-month period.

The Illinois Attorney General's office and the Illinois Commerce Commission (ICC) also can take complaints. The ICC's toll-free number is 1-800-524-0795. Chicago-area residents can call the Attorney General's office at 1-800-386-5438, and residents in other parts of the state can call 1-800-243-0618.

What information do I need to file a complaint?

It's a good idea to gather as much information as possible about the telemarketing firm that called you, but at the very least, write down the number or name of the telemarketer that called as well as the date the company called.

It's also helpful to note the name of the person calling and his or her manager. In addition to the name or number of the telemarketing firm, try to remember the name of the company that created the product or service being sold.

What about Illinois' no-call list?

In 2002, state legislators passed a law to create a no-call list administered by the Illinois Commerce Commission (ICC). However, in 2003 lawmakers passed additional legislation allowing the ICC to use the FTC list so consumers only would need register with one agency.

What if I want some telemarketing calls?

Even if your number is on the no-call list, a company is allowed to phone you if it has your written permission.

What rules are telemarketing companies required to follow?

Federal rules prohibit telemarketing before 8 a.m. and after 9 p.m. When telemarketers do call, they are supposed to give their name, the name of the person or company they represent, and a telephone number or address for that person or company.

Some companies use automatic telephone-dialing systems, or autodialers. Unless the consumer has given prior consent, such calls are never supposed to be placed on any telephone service in which you would be charged for the call, such as a cell phone.

Also, calls that use an artificial or prerecorded voice message are not allowed, UNLESS you have given prior consent, the call doesn't include unsolicited advertisements, the call is on behalf of tax-exempt nonprofit organizations, or you have an established business relationship with the caller.

Telemarketers are required to connect their call to a sales representative within two seconds after the consumer answers the phone. This is to reduce the number of "dead air" or hang-up calls you get when a telemarketing company using an autodialer reaches more phone numbers than there are sales representatives. In such cases, a telemarketer must play a recorded message identifying itself and the number from which it is calling.

Also, by February of 2004, telemarketers are required to transmit their telephone number and, if possible, name to a customer's caller ID service.

What is CUB?

CUB is a nonprofit utility watchdog group created by the Illinois Legislature in 1983 to fight for the rights of electric, natural gas and telephone utility consumers across the state. If you have a question or complaint regarding your utility, call CUB's Consumer Hotline, at 1-800-669-5556, for free assistance.