

FCC Consumer Advisory

The Truth About Wireless Phones and the National Do-Not-Call List

You may be one of many consumers who have received e-mails saying you're about to be assaulted by unwanted telemarketing calls to your wireless phone. Rest assured that placing telemarketing calls to wireless phones is -- and always has been -- illegal in most cases.

Why the Confusion?

The confusion seems to stem from recent discussions in the wireless phone industry about establishing a wireless 411 phone directory, much like your traditional (wired) 411 phone directory. A number of e-mail campaigns seem to suggest that if your wireless telephone number is listed in a wireless 411 directory, it will be available to telemarketers, and you will start to receive sales calls. In addition, some of these e-mail campaigns suggest that there is a separate do-not-call "cell phone registry," which you must call to have your wireless phone number covered by the do-not-call rules. This information is wrong.

Here Are the Facts:

- At present, a wireless 411 directory is only in the idea stage.
- Even if a wireless 411 directory is established, most telemarketing calls to wireless phones would still be illegal. For example, it is unlawful for any person to make any call (other than a call made for emergency purposes or made with express prior consent) using any automatic telephone dialing system or any artificial or prerecorded voice message to any telephone number assigned to a paging service, mobile telephone service, or any service for which the called party is charged for the call. This prohibition applies regardless of whether the number is listed on the national Do-Not-Call list.

Contrary to what some of the e-mail campaigns are saying, the federal government does not maintain and is not establishing a separate Do-Not-Call list for wireless phone numbers. The Federal Communications Commission (FCC) and the Federal Trade Commission (FTC) established the national Do-Not-Call list to enable consumers to reduce the number of unwanted telemarketing calls to their residential or personal wireless phones. Wireless phone subscribers have always been able to add their personal wireless phone numbers to the national Do-Not-Call list, either online at www.donotcall.gov, or by calling toll-free to 1-888-382-1222 from the phone number they wish to register. The do-not-call rules require callers that aren't exempt from the rules to stop telemarketing calls 30 days after you register a number. Contrary to

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information in certain e-mails, **there is no deadline for registering a number on the national Do-Not-Call list.** There is also no longer any need to re-register a number – it will stay on the national Do-Not-Call list until you cancel your registration or discontinue service.

How to Complain

If you receive an unwanted telemarketing call that you think violates the do-not-call rules, you can file a complaint with the FCC. The easiest way to file your complaint is to go to the FCC's on-line complaint forms found on the FCC Web site at esupport.fcc.gov/complaints.htm. You will be asked to check a box that will take you to the correct form, Form 1088. You can also file your complaint with the FCC Consumer Center by e-mailing fccinfo@fcc.gov; calling 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

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

For More Information

To learn more about the national Do-Not-Call list and the rules that enforce it, visit the FCC Web site at www.fcc.gov/cgb/donotcall or the FTC Web site at www.donotcall.gov. You can also contact the FCC's Consumer Center using the contact information provided for filing a complaint.

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