

# Consumer Guide

# **Stop Unwanted Robocalls and Texts**

Unwanted calls – including illegal and spoofed robocalls – are the FCC's top consumer complaint and our top consumer protection priority. These include complaints from consumers whose numbers are being spoofed or whose calls are being mistakenly blocked or labeled as a possible scam call by a robocall blocking app or service. The FCC is committed to doing what we can to protect you from these unwelcome situations and is cracking down on illegal calls in a variety of ways:

- Issuing hundreds of millions of dollars in enforcement actions against illegal robocallers.
- Empowering phone companies to block by default illegal or unwanted calls based on reasonable call analytics before the calls reach consumers.
- Allowing consumer options on tools to block calls from any number that doesn't appear on a customer's contact list or other "white list."
- Requiring phone companies to implement <u>caller ID authentication</u> to help reduce illegal spoofing.
- Making consumer complaint data available to enable better call blocking and labeling solutions.

Check out the consumer guide on <u>Call Blocking Tools and Resources</u>, which includes information on many of the call blocking and labeling tools currently available to consumers.

Learn more about <u>FCC Initiatives to Combat Robocalls and Spoofing</u> and download the <u>FCC Report on Robocalls</u> (PDF).

<u>File a complaint with the FCC</u> if you believe you have received an illegal call or text, or if you think you're the victim of a spoofing scam. Click the tabs below for tips, FAQs and resources.

# **Consumer Tips to Stop Unwanted Robocalls and Avoid Phone Scams**

- Don't answer calls from unknown numbers. If you answer such a call, hang up immediately.
- You may not be able to tell right away if an incoming call is spoofed. Be aware: Caller ID showing a "local" number does not necessarily mean it is a local caller.
- If you answer the phone and the caller or a recording asks you to hit a button to stop getting the calls, you should just hang up. Scammers often use this trick to identify potential targets.
- Do not respond to any questions, especially those that can be answered with "Yes."
- Never give out personal information such as account numbers, Social Security numbers, mother's maiden names, passwords or other identifying information in response to unexpected calls or if you are at all suspicious.
- If you get an inquiry from someone who says they represent a company or a government agency, hang up and call the phone number on your account statement, in the phone book, or on the company's or government agency's website to verify the authenticity of the request. You will usually get a written statement in the mail before you get a phone call from a legitimate source, particularly if the caller is asking for a payment.
- Use caution if you are being pressured for information immediately.
- If you have a voice mail account with your phone service, be sure to set a password for it. Some voicemail services are preset to allow access if you call in from your own phone number. A hacker could spoof your home phone number and gain access to your voice mail if you do not set a password.
- Talk to your phone company about call blocking tools they may have and check into apps that you can
  download to your mobile device to block unwanted calls.
- If you use robocall-blocking technology already, it often helps to let that company know which numbers are producing unwanted calls so they can help block those calls for you and others.



To block telemarketing calls, register your number on the <u>Do Not Call List</u>. Legitimate telemarketers consult the list to avoid calling both landline and wireless phone numbers on the list.

#### **FAQs About Robocalls**

Robocalls are calls made with an autodialer or that contain a message made with a prerecorded or artificial voice.

Advances in technology have unfortunately allowed illegal and spoofed robocalls to be made from anywhere in the world and more cheaply and easily than ever before. That's why it's become more of a problem for consumers, and a more difficult problem to solve.

Keep in mind that many robocalls are legal. While we have taken several actions, and continue to work on reducing illegal robocalls, it is a difficult problem that requires complex solutions. The most complex part is identifying the illegal calls in real time to be able to block them without blocking lawful calls.

What are the rules for robocalls? FCC rules require a caller to obtain your written consent – on paper or through electronic means, including website forms, a telephone keypress – before it may make a prerecorded telemarketing call to your home or wireless phone number. FCC rules also require a caller to obtain your consent, oral or written, before it may make an autodialed or prerecorded call or text to your wireless number. There are exceptions to these rules, such as for emergencies involving danger to life or safety.

What are the rules for telemarketers calling a wireline home phone? Callers must have your prior express written consent before making telemarketing calls using a prerecorded or artificial voice. Telephone solicitation calls to your home are prohibited before 8 am or after 9 pm.

Telemarketers are no longer able to make telemarketing robocalls to your wireline home telephone based solely on an "established business relationship" that you may have established when purchasing something from a business or contacting the business to ask questions.

Are robocalls to wireless phones prohibited? A consumer's written or oral consent is required for autodialed, prerecorded, or artificial voice calls or texts made to your wireless number, with a few exceptions such as emergency calls regarding danger to life or safety. Consent must be in writing for telemarketing robocalls. Telemarketers have never been permitted to make robocalls to your wireless phone based solely on an "established business relationship" with you.

What types of autodialed calls are permitted under the FCC rules? Not all robocalls are illegal. There are several factors to consider: the technology used to make the call, whether the call is to a landline or a mobile number, whether the content of the call is telemarketing, and whether the called number is on the National Do Not Call Registry.

Market research or polling calls to home wireline numbers are not restricted by FCC rules, nor are calls on behalf of tax-exempt non-profit groups. Informational messages such as school closings or flight information to your home phone are permissible without prior consent. The rules do require all prerecorded calls, including market research or polling calls, to identify the caller at the beginning of the message and include a contact phone number. Autodialed or prerecorded calls to wireless phones are prohibited without prior express consent, regardless of the call's content, with a few exceptions such as emergency calls regarding danger to life or safety.

What are the rules about robocalls releasing telephone lines? Autodialers that deliver a prerecorded message must release the called party's telephone line within five seconds of the time that the calling system receives notification that the called party's line has hung up. In some areas, you could experience a delay before you can get a dial tone again. Your local telephone company can tell you if there is a delay in your area.

Are any organizations or individuals exempt from the Do Not Call rules? Yes. The Do Not Call rules only apply to telemarketing calls. So, the following types of calls are ones that don't have to comply with do-not-call



requests: tax-exempt, non-profit organizations; political organizations; pollsters and survey takers, not making sales calls; religious organizations; and telemarketers to whom you have given prior written consent to call you.

**Can I opt out of autodialed calls?** FCC rules require telemarketers to allow you to opt out of receiving additional telemarketing robocalls immediately during a prerecorded telemarketing call through an automated menu. The opt-out mechanism must be announced at the outset of the message and must be available throughout the duration of the call.

Where should I file my unwanted call complaint? Consumers can file complaints with the FCC by going to <a href="fcc.gov/complaints">fcc.gov/complaints</a>. You should choose the phone form and the unwanted calls issue for all complaints involving unwanted calls, including if your number is being spoofed, blocked, or labeled.

If you have a complaint about telephone fraud or telemarketers who have disregarded the Do Not Call list, we also encourage you to file a complaint with the FTC at <a href="ftccomplaintassistant.gov">ftccomplaintassistant.gov</a>.

If the unwanted call is an IRS scam, we also encourage you to file your complaint with the Treasury Inspector General for Tax Administration (TIGTA) at tigta.gov or call 1-800-366-4484.

What does the FCC do with consumer complaints? We do not resolve individual unwanted call complaints but such complaints provide valuable information that the FCC uses to inform policy decisions and as the basis of potential enforcement actions against callers violating our rules under the Telephone Consumer Protection Act (for most robocalls) or Truth in Caller ID Act. We may share your complaint with other agencies, such as the FTC, if we have shared jurisdiction over the alleged violation.

**How can schools get more information about compliance?** For schools that have questions about compliance with the Commission's robocalls rules, please contact <a href="mailto:Richard.Smith@fcc.gov">Richard.Smith@fcc.gov</a>.

Download the FCC Report on Robocalls (PDF).

#### Robotexts

FCC rules ban text messages sent to a mobile phone using an autodialer unless you previously gave consent to receive the message or the message is sent for emergency purposes.

- For commercial texts, your consent must be in writing.
- For non-commercial, informational texts (such as those sent by or on behalf of tax-exempt non-profit organizations, those for political purposes, and other noncommercial purposes, such as school closings), your consent may be oral.

The ban applies even if you have not placed your mobile phone number on the national Do-Not-Call list.

### Tips for avoiding unwanted texts

- Do not respond to unwanted texts from questionable sources. Several mobile service providers allow you to block the sender by forwarding unwanted texts to 7726 (or "SPAM"). Check with your provider about options.
- Be careful about giving out your mobile phone number or any other personal information.
- Read through commercial web forms and check for a privacy policy when submitting your mobile phone number to any customer website. You should be able to opt out of receiving texts – but you may have to check or uncheck a preselected box to do so.
- Find out if any company you do business with has a policy that allows it to sell or share your information.

#### Take action

File a complaint with the FCC if you receive:



- An unwanted commercial text message sent to your mobile phone.
- An autodialed text message sent to your mobile phone if you didn't consent to the message previously (or it doesn't involve an emergency).
- Any autodialed text message from a telecommunications company or advertising a telecommunications company's products or services, if sent without your prior consent.

# Spoofing and Caller ID

<u>Caller ID spoofing</u> is when a caller deliberately falsifies the information transmitted to your caller ID display to disguise their identity. Spoofing is often used as part of an attempt to trick someone into giving away valuable personal information so it can be used in fraudulent activity or sold illegally, but also can be used legitimately, for example, to display the toll-free number for a business.

What is neighbor spoofing? Robocallers use neighbor spoofing, which displays a phone number similar to your own on your caller ID, to increase the likelihood that you will answer the call. To help combat neighbor spoofing, the FCC is requiring the phone industry to adopt a robust caller ID authentication system.

When is spoofing illegal? Under the Truth in Caller ID Act, FCC rules prohibit anyone from transmitting misleading or inaccurate caller ID information with the intent to defraud, cause harm or wrongly obtain anything of value. Anyone who is illegally spoofing can face penalties of up to \$10,000 for each violation. However, spoofing is not always illegal. There are legitimate, legal uses for spoofing, like when a doctor calls a patient from her personal mobile phone and displays the office number rather than the personal phone number or a business displays its toll-free call-back number.

What can you do if your number is being spoofed? If you get calls from people saying your number is showing up on their caller ID, it's likely that your number has been spoofed. We suggest first that you do not answer any calls from unknown numbers, but if you do, explain that your telephone number is being spoofed and that you did not actually make any calls. You can also place a message on your voicemail letting callers know that your number is being spoofed. Usually scammers switch numbers frequently. It is likely that within hours they will no longer be using your number.

What is blocking or labeling? If a telephone number is blocked or labeled as a "potential scam" on your caller ID, it is possible the number has been spoofed. Several phone companies and app developers offer call-blocking and labeling services that detect whether a call is likely to be fraudulent based on call patterns, consumer complaints or other means.

FCC rules do not prohibit call blocking or labeling technologies, however the FCC is very concerned about ensuring that lawful calls are completed and has encouraged providers who block calls to establish a means for a caller whose number is blocked to contact the provider and remedy the problem.

You can legally block the transmission of your phone number when you make calls, so your number will appear as "unknown." Doing so is not spoofing.

#### What are the caller ID rules for telemarketers?

FCC rules specifically require that a telemarketer:

- Transmit or display its telephone number or the telephone number on whose behalf the call is being made, and, if possible, its name or the name of the company for which it is selling products or services.
- Display a telephone number you can call during regular business hours to ask to no longer be called. This rule applies even to companies that already have an established business relationship with you.



## **Political Campaign Robocalls & Robotexts**

During election seasons, consumers will likely experience an increase in calls and texts from political campaigns. While campaign calls and texts are exempt from the Do Not Call List requirements, the Telephone Consumer Protection Act contains specific rules they must follow.

In general, robocalls and robotexts to mobile phones require prior consent and calls to landlines are allowed without prior consent. But there are exceptions detailed below.

#### **Political Robocall Restrictions**

Political campaign-related autodialed or prerecorded voice calls, including autodialed live calls, autodialed texts, and prerecorded voice messages, are prohibited to cell phones, pagers or other mobile devices without the called party's prior express consent. The same restrictions apply to protected phone lines such as emergency or toll-free lines, or lines serving hospitals or similar facilities.

Political campaign-related autodialed or prerecorded voice calls are permitted when made to landline telephones, even without prior express consent.

All prerecorded voice message calls, campaign-related and otherwise, must include certain identification information:

- The identity of the business, individual, or other entity initiating the call must be clearly stated at the beginning of the prerecorded message.
- If the calling party is a business or corporate entity, the entity's official business name must be stated clearly at the beginning of the message.
- The telephone number of the calling party must be provided, either during or after the message.

#### **Political Robotexts**

Robotexts – text messages generated through autodialing – are also considered a type of call and fall under all robocall rules.

As text messages generally go to mobile phones, robotexts require the called party's prior express consent. However, political text messages can be sent without the intended recipient's prior consent if the message's sender does not use autodialing technology to send such texts and instead manually dials them.

#### **Report Unwanted Calls and Texts**

If you think you've received a political robocall or text that does not comply with the FCC's rules, you can file an informal complaint with the FCC at <a href="fcc.gov/complaints">fcc.gov/complaints</a>. If you are receiving texts that you didn't ask for, report the sender by forwarding the texts to 7726 (or "SPAM"). Campaigns should also honor opt-out requests if you reply "STOP."

# Web Resources for Blocking Robocalls

Call blocking is a tool used by phone companies to stop illegal and unwanted calls from reaching your phone. A recent <u>FCC report</u> found that by partnering with third-party analytics companies, providers are able to block billions of unwanted calls to American consumers each year.

Phone companies sometimes block calls connected to suspicious calling patterns proactively for their customers. Many phone companies also enable their customers to block additional unwanted calls by enrolling in a service or installing an app. Consumers can also adjust certain settings on their phone, sign up with a third-party service, or download a third-party app to block suspected unwanted calls.



Depending on your service provider, a blocked call may go straight to your voicemail, you may hear a single ring and get caller ID information from the blocked call, or you may get no notice at all.

Many phone companies are taking advantage of FCC rules that allow consumers to be enrolled automatically in call blocking services, but you can opt-out if you are concerned about missing wanted calls. A number of companies also offer call labeling to help consumers determine which calls they want to answer. Labeling services display categories for potentially unwanted or illegal calls such as "spam" or "scam likely" on the caller ID display.

Contact your phone company to learn more about the blocking and labeling solutions that may be available to protect you from unwanted and illegal calls. There may also be apps you can download for your mobile device – at little or no cost – to block or label potential spam calls. In addition to call-blocking and labeling services, you should also check with your wireless device manufacturer about built-in features you can use to block unwanted calls from specific numbers using your cell phone's settings.

The resources listed below provide information on many of the call blocking and labeling tools currently available to consumers.

#### Wireless/Mobile

- AT&T: Mobile security and call protection services.
- Google Project Fi: Call blocking options for Project Fi wireless service.
- Sprint: Call blocking options using My Sprint.
- <u>T-Mobile</u>: Call-protection options to identify or block potential scammers.
- U.S. Cellular: Automatic network call identification, labeling, and blocking app options.
- Verizon: Call Filter FAQS for screening and blocking unwanted calls.

#### Landline/Wireline/VoIP

- AT&T: Information on Digital Phone Call Protect service, call blocking, and other features.
- CenturyLink: Customer tips and tools to block unwanted calls.
- Comcast: Call blocking options for XFINITY Voice subscribers.
- Frontier Communications: Consumer options for call blocking tools and services.
- Spectrum: Guide for using Nomorobo service to block robocallers.
- Verizon: Customer options for stopping unwanted calls to residential lines.

#### **Third-Party Analytics Resources**

- First Orion: Tools and services for mobile customers and businesses.
- Hiya: Tools and services for mobile phones; Hiya Connect for businesses.
- Nomorobo: Tools and services for VoIP landlines and mobile phones.
- TNS Call Guardian: Call analytics solutions for businesses.
- YouMail: Tools and services for individuals and businesses.

#### **Wireless Device Solutions**

- Apple iPhones have an opt-in "Silence Unknown Callers" call-screening and blocking feature.
- Google Pixel phones have a "Call Screen" call-screening and blocking feature; Google offers several
  free, opt-in, call-blocking tool apps for <u>Android</u> phones; and <u>Google Voice</u> users can use a call
  management tool to block unwanted calls.
- Samsung partners with Hiya to offer a call-blocking solution called Smart Call to label potentially unwanted calls.

#### **Trade Association Consumer Resources and Information**

- CTIA: Consumer resources for stopping robocalls.
- <u>US Telecom</u>: Consumer information on illegal robocalls.



The resources listed are provided for informational purposes. The FCC does not endorse any products or services listed, and is not responsible for the content, accuracy, completeness, or timeliness of non-FCC websites.

#### **How Businesses Can Avoid Having Legitimate Calls Blocked**

Phone companies, or their partner service providers, look for suspicious calling patterns in their ongoing efforts to proactively block unwanted and illegal calls. False-positive blocking may occur if a legitimate business or other entity places calls using a pattern similar to those associated with unwanted – and often illegal – robocalls.

Here are some best practices to avoid being blocked:

- Always use a valid outgoing number.
- Never display an invalid number in caller ID.
- Never substitute a phone number in caller ID to which you do not subscribe.
- Do not use an outgoing number that is on the Do Not Originate list.
- Limit the number of calls placed per minute, particularly outside of normal business hours.
- Limit the number of times you call numbers back within a short time frame.

You should also periodically check with phone companies and third-party analytics companies about consumer complaints for the numbers you use to place calls.

When leaving messages include a consistent call-back number and consider including additional contact information that recipients can use to report concerns.

You can also use different outbound numbers for different purposes. For example, customer support call-backs are less likely to be blocked based on complaints if they are made using a distinct number and not one shared with outbound telemarketing calls, which may draw complaints.

In addition, be sure to register the valid numbers you plan to use for outgoing calls with the entities listed below, not just the phone company that provides your service.

- AT&T: Call 800-337-5373, email <u>dl-GFMOBusinessFra@ATT.com</u>, or contact Hiya through its website, <u>hiyahelp.zendesk.com/hc/en-us/requests/new</u>. Calling parties can also provide feedback at <u>att.com/reviewmycalllabel</u>, which links to Hiya's portal.
- CenturyLink: Email <u>robocall.reporting@centurylink.com</u>, or contact Nomorobo at <u>nomorobo.com/contact</u> and choose "Report a Number."
- **First Orion**: Contact via website at <u>calltransparency.com</u>.
- Frontier: Email nospam@ftr.com, or contact Nomorobo.
- Hiya: Contact through website at <u>hiyahelp.zendesk.com/hc/en-us/requests/new</u>. Hiya provides a service for legitimate businesses to register, through <u>connect.hiya.com</u>.
- Nomorobo: Contact through website at <u>nomorobo.com/contact</u> and choose "Report a Number."
   Nomorobo has a white list feature to which subscribers can add numbers in order to prevent erroneous blocking.
- Sprint: Call 888-211-4727 or contact TNS at <u>reportarobocall.com/trf</u>.
- **T-Mobile:** Contact through feedback.fosrvt.com or through First Orion at calltransparency.com.
- **TNS:** TNS provides a portal on its website for identifying inaccuracies, through its robocall feedback website, <u>reportarobocall.com/trf</u>, and it allows companies to subscribe to alerts to inform them when the number is classified as a spammer, spoofer, scammer, or robocaller.
- US Cellular: Call 888-944-9400 or contact through website at uscellular.com/support/robocall/index.html.
- Verizon: Contact through website at voicespamfeedback.com.
- Windstream: Call 800-347-1991 or contact by email at website: windstream.com/Support/Phone/Troubleshooting-repair.

Some of the above companies also offer call labeling to help consumers decide which calls they want to answer. These companies may be able to address any questions you have regarding how your calls are being labeled.



#### Know the rules

First and foremost, make sure you have the consent of the person you are calling before you call. FCC rules require a caller to obtain written consent – on paper or by electronic means such as a website form or a telephone keypress – before making a prerecorded telemarketing call to a landline phone number or before making an autodialed or prerecorded telemarketing call to a wireless phone number. FCC rules also require callers to obtain oral or written consent before making autodialed or prerecorded non-telemarketing calls or texts to wireless numbers. There are exceptions to these rules, such as for emergencies involving danger to life or safety.

Under FCC rules, telemarketers calling your home must provide their name along with the name, telephone number, and address where their employer or contractor can be contacted. Telephone solicitation calls are prohibited before 8 am and after 9 pm.

Telemarketers are no longer able to make telemarketing robocalls to wireline home telephones based solely on an "established business relationship," which may have been established when the consumer purchased something or contacted the business to ask questions. Prior express consent as described above is necessary, even if a telemarketer has an established business relationship with the called party.

Make sure you comply with the Do Not Call provisions of the Telemarketing Sales Rule. (See the Federal Trade Commission's <u>Do Not Call Q&A</u> for more information.)

#### Understand what the FCC authorizes

Under FCC rules, voice service providers may block the following calls without consumer consent:

- Calls from unassigned, unallocated, or invalid numbers.
- Calls from numbers on the Do Not Originate list.

A voice service provider may also block calls that it deems are unwanted based on reasonable analytics, but the provider must allow their customers to opt out of this type of blocking.

#### The National Do Not Call List

The national Do Not Call list protects landline and wireless phone numbers. You can register your numbers on the national Do Not Call list at no cost by calling 1-888-382-1222 (voice) or 1-866-290-4236 (TTY). You must call from the phone number you wish to register. You can also register at donotcall.gov.

Telemarketers must remove your numbers from their call lists and stop calling you within 31 days from the date you register. Your numbers will remain on the list until you remove them or discontinue service – there is no need to re-register numbers.

Under FCC rules, telemarketers calling your home must provide their name along with the name, telephone number, and address where their employer or contractor can be contacted. Telemarketing calls to your home are prohibited before 8 am or after 9 pm, and telemarketers are required to comply immediately with any do-not-call request you make during a call.

Whether you are on the National Do Not Call Registry or not, tell unwanted callers that you do not consent to the call and to put you on their internal do not call list. Make a record of the caller's number and when you made your request not to be called, and file a complaint with the FCC if the caller does not comply with your request.

#### **FAQs**

What is a telephone solicitation?



A telephone solicitation is a telephone call that acts as an advertisement. However, some phone solicitations are permissible under FCC rules, including: calls or messages placed with your express prior permission, by or on behalf of a tax-exempt non-profit organization, or from a person or organization. However, having an established business relationship no longer meets the rules for permissible unsolicited calls to your landline phone. Companies and telemarketers must have your express permission to call.

#### Are there any other lists I can register my number with?

Yes. Additionally, many states now have statewide do-not-call lists for residents. Contact your state's public service commission or consumer protection office to see if your state has such a list, and to find out how to register your number or numbers. For contact information for your state public service commission, check the government listings or blue pages of your local phone directory.

#### If I continue to receive such calls, what can I do?

If you receive a telephone solicitation that you think violates any of the FCC rules, you can <u>file a complaint with</u> <u>the FCC</u>. The FCC can issue warning citations and impose fines against companies violating or suspected of violating the do-not-call rules, but does not award individual damages.

#### Filing a complaint

You have multiple options for filing a complaint with the FCC:

- File a complaint online at <a href="https://consumercomplaints.fcc.gov">https://consumercomplaints.fcc.gov</a>
- By phone: 1-888-CALL-FCC (1-888-225-5322); TTY: 1-888-TELL-FCC (1-888-835-5322); ASL: 1-844-432-2275
- By mail (please include your name, address, contact information and as much detail about your complaint as possible):

Federal Communications Commission Consumer and Governmental Affairs Bureau Consumer Inquiries and Complaints Division 45 L Street NE Washington, DC 20554

#### **Alternate formats**

To request this article in an alternate format - braille, large print, Word or text document or audio - write or call us at the address or phone number above, or send an email to fcc504@fcc.gov.

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