

## Don't Call Me, I'll Call You...

Nip those unwanted calls in the bud.



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How often have you raced to answer the ringing phone at home only to hear the recorded greeting of a monotone telemarketer? Here is how to nip those unwanted calls in the bud!

Effective on October 1, 2003, the Telemarketing Sales Rule (TSR) established the **Do Not Call Registry** to help reduce the number of unwanted sales calls that you receive at home, including on your cell phone.

Join the nearly 60 million Americans who have already signed up! Registration is free at [www.donotcall.gov](http://www.donotcall.gov) provided that you have an email address or at 1-888-290-4236 from the number that you wish to register.

Your number will appear in the national registry the next day and stay there for five years unless you cancel it earlier or disconnect the line. You can renew your registration at that time. In a recent poll 92% of people said that they are receiving fewer calls, and 78% are getting "far fewer calls" or virtually none at all.

However, if you are still receiving unwanted sales calls three months later, you can file a complaint at [www.donotcall.gov](http://www.donotcall.gov) or call 1-888-382-1222 and provide the company's name or phone number and the date of the call. The FTC has already received more than 300,000 such complaints. Fines can be as much as \$11,000 for each call even if the call originated overseas. The government will not call you through a private company, charge a fee, or ask for any personal information to put your number on the national registry.

Although the **Federal Trade Commission (FTC)** runs the national registry which stops many calls, an estimated 80% of some calls are exempt from the TSR, such as political organizations, charities, and telephone surveyors. Furthermore, organizations with which you have business relationship (i.e. you bought an item or donated money) can call for up to 18 months after your last transaction, despite the fact that you may have already placed your number on the registry. Also, if you have completed a company's survey, sweepstakes, or requested a free sample, that company can contact you for three months afterwards. If you do not want to register your number or have a business relationship with a company, you can still ask the telemarketer to put your name on their respective do not call list, including those commercial telemarketers calling on behalf of charitable organizations.

Of those permissible calls, telemarketers may only call between 8 a.m. and 9 p.m. In addition, the telemarketer must inform you of the identity of their organization, that their purpose is sales or to obtain a charitable contribution, and not block their phone number from your caller ID. They must disclose material information about the goods or services offered and are prohibited from lying about any of the specific terms. Lastly, the law also prohibits recorded sales pitches when cold calling, delays of more than two seconds before being connected to a representative, and hang-ups on unanswered calls prior to four rings or fifteen seconds. The FTC enters "do not call complaints" as well as any those pertaining to fraud such as Internet, telemarketing, or identity theft into **Computer Sentinel**, an online database used by civil and criminal enforcement agencies worldwide.

As of July 1 of this year, **Attorney Jerry Kilgore's** new consumer protection law will prohibit telemarketers from calling any Virginia resident who has placed his home number and/or cell number on the national Do Not Call List. This legislation will give consumers the ability to bring an action against violators in a local Virginia general district court with possible liability of \$500 per infraction, plus attorneys' fees and costs. In addition, the law permits the Attorney General and Commonwealth's attorneys to file enforcement actions in state court against telemarketers. Kilgore stated, "More than half a million Virginians have already signed up for the national Do Not Call List. The high interest clearly indicates that many people do not like the intrusion of unwanted telemarketing calls while they are at home with their families."

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