

FTC Robocalls Facebook Q&A Transcript

The following is a condensed transcript of the FTC's official Q and A with Kati Daffan answering questions from the public about the FTC's Robocalls initiatives on July 17, 2012.

We've listed the comments directed to the FTC and answers in order for ease of reading. This information, without names redacted & in the actual order posts came in, remains public on the [FTC's Facebook page](#).

Note: The FTC's Office of Public Affairs may continue to answer additional questions on its Facebook page even though the chat has ended. For any follow-on questions, please see the original chat stream on Facebook.

Comment 1: What is the best way to stop them? They seem to always change phone numbers and when you ask them to take you off their list they hang up. What more can I do to help the FTC stop them?

FTC Response: You may file a complaint with the FTC at www.donotcall.gov and provide any information you have collected, caller ID, name, etc. You are absolutely right, hang up! For more tips, see: <http://go.usa.gov/fgv>

Comment 2: How can the average Consumer actually receive the TCPA Policies from these robo dialers, voice brodcasting "companies"? We get passed back and forth between various AG offices and the FTC. Nothing has ever been received.

FTC Response: We are not sure what it is you are trying to receive from the robocaller, but filing a complaint with the state AG and the FTC helps us do our job. You can file a complaint at www.donotcall.gov. Thanks!

Comment 3: I work for a company that is considering using SMS text messages to communicate with clients throughout the credit application process. No message would be sent until after initial phone contact was made, but the SMS text messages would be automatic script messages that are sent once the file reaches various status. Are those types of SMS text messages considered to be "prerecorded messages" such that prior written express agreement would be required?

FTC Response: Automated SMS text messages raise various legal issues. For more information, see the case we brought against text spammer Phil Flora, <http://www.ftc.gov/os/caselist/1023005/index.shtm>.

Comment 4: I cannot use my phone due to these calls, I have to let everything go to VM. The thing is, the caller ID says almost anything and even lists a number with the ID city area code

but that is not where the call originated. And sometimes when I am checking my VM, these calls automatically dial themselves when I pick up the message. What can we do?

FTC Response: You're smart to ignore the calls, and yes, caller-id spoofing is a problem, and it's also illegal. Please report these calls to the FTC at www.donotcall.gov. For more tips, see www.ftc.gov/robocalls. Thank you.

Comment 5: I get calls from card services 3-4 times a day, I am registered on the do not call list - how can I - Gov't stop these

FTC Response: You can help us by filing a complaint with the FTC at www.donotcall.gov and asking your carrier for "call detail information" on the call and by providing that information along with your complaint.

Comment 6: We are trying to receive the TCPA Policies "to be provided to anyone whom requests" under TCPA Title 47 § 227

FTC Response: We think you are trying to file a private case against the robocaller using the FCC's rules. We suggest you look at www.fcc.gov for more information that will assist you.

Comment 7: Any new developments with "Rachel from Cardholder Services"? I've been plagued with calls from them

FTC Response: We have sued companies placing calls for "Cardholder Services". We have many investigations in the pipeline. We know that many like you have complained about "Rachel from Cardholder Services".

Comment 8: We have several clients who are curious about the business relationship exception. If a person is requesting more information, can they then put those contacts on a robocaller/dialer?

FTC Response: The business relationship exception relates only to DNC, not to robocalls. We suggest you look at the FTC's website www.ftc.gov for information on compliance with DNC.

Comment 9: In regards to the above conversation- Wait a minute, that doesn't make any sense, why wont you enforce your own laws? It's also in FCC 47 CFR, Chapter 1, § 76.3, subpart L.

FTC Response: The FTC's relevant rule is the Telemarketing Sales Rule, which is what we enforce. The FCC enforces the TCPA.

Comment 10: If a collection agency is legit, don't they have a live person, not a robocall, contact you? Last year and now this year, I've had robo calls from Palsades Collection & Asta Funding, they were robo & also the same company. I don't owe anyone any money & won't return Palsades' calls which say to call another # & they leave a ref#. Asta did the same thing last year

& this year, Asta is just calling & hanging up. I don't answer these calls; let the recorder get them. I found that these companies have had complaints against them. Also get calls from all over the US, with no ID, except unknown, important, unavailable, ets. that hangup. Don't know what thats about.

FTC Response: We suggest you file a complaint with the FTC at www.donotcall.gov.

Comment 11: When a Consumer contacts the FCC they are refered to the FTC. And TSR, what about all the same people showing up time and again- IV. Prohibitions Against Deceptive or Abusive Telemarketing Acts or Practices IT IS FURTHER ORDERED that, in connection with telemarketing, Defendants and their officers, agents, servants, employees, and attorneys, and those persons or entities in active concert or participation with any of them who receive actual notice of this Order by personal service, facsimile transmission, email, or otherwise, whether acting directly or through any corporation, subsidiary, division, or other device are hereby permanently restrained and enjoined from violating, causing others to violate, or assisting others who violate, any provision of the TSR, including, but not limited to:

FTC Response: We have less than 10 minutes left, so please post your questions if you have anything else to ask the FTC!

FTC Response: That is all the time we have today. Thank you for all of your questions!