



The Do Not Call Registry and Unwanted Calls

From the Office of Minnesota Attorney General Lori Swanson

Many people are bombarded by unwanted telephone calls—even though they are on the Do Not Call Registry. The calls pitch everything from “free” medical alert devices to credit and debt services. The unwanted calls can be disruptive and tie up phone lines. So why is it so hard to stop them? It is because the scam artists who place these calls are often running criminal enterprises designed to steal money and have no regard for the law; as a result, they are not dissuaded by the fact that a person’s telephone number is on the Do Not Call Registry. The problem is difficult to stop because the scam artists increasingly use modern technology—including caller ID spoofing and throw-away cell phones—to conceal their identity and location and evade law enforcement. The scam artists who make the calls are often located in other countries outside the United States.

The Do Not Call Registry

The Do Not Call Registry prohibits many callers from placing telemarketing calls to consumers who have registered their phone numbers on the Do Not Call Registry. While legitimate companies usually honor the Do Not Call Registry, many of the most aggressive telemarketers are criminals attempting to commit theft or fraud. These criminals do not obey the law, so signing up for the Do Not Call Registry will not stop calls from them. Signing up for the Do Not Call Registry may, however, limit the number of unwanted telemarketing calls you receive from reputable companies.

The Federal Trade Commission (“FTC”) maintains the Do Not Call Registry. You may register your home and cell phone numbers on the Do Not Call Registry by contacting the FTC as follows:

Federal Trade Commission

1-888-382-1222

www.donotcall.gov

Note that the federal “Do Not Call” law exempts calls by certain organizations, such as charitable organizations and businesses with which you have done business in the preceding 18 months. Moreover, the Do Not Call Registry does not cover business-to-business calls. For more information about the federal “Do Not Call” law and its exemptions, go to <http://www.consumer.ftc.gov/articles/0262-stopping-unsolicited-mail-phone-calls-and-email>.

In-house Do Not Call Lists

As noted above, some organizations are not required to follow the Do Not Call Registry. These organizations must, however, maintain their own “in-house” do not call list. If you ask each organization to put you on their individual in-house do not call list, the organization must stop calling you. Organizations that violate this law and continue to call you may be subject to a fine from the FTC.

New Technology Hides Callers’ Locations

One of the reasons that law enforcement has difficulty apprehending those who make unwanted calls is that new technology often masks the caller’s identity and location:

(1) Caller ID Spoofing

Caller ID spoofing technology allows scam artists to trick caller ID devices into displaying any information they want. Scam artists may use caller ID spoofing to impersonate government agencies, banks, credit card companies, and other legitimate businesses. Increasingly scam artists “spoof” local, familiar telephone numbers to mask their identity. You might even see your own name and telephone number displayed on your caller ID device. The scammer who makes a

“spoofed” call hopes that you will answer your phone so they can try to scam you. When a person returns a spoofed call, they find that the number is disconnected, not in service, or is assigned to someone who is very obviously not the scam artist. These scammers often live in another country.

(2) Throw-Away Cell Phones

Scam artists, like drug dealers, also use prepaid throw-away cell phones to mask their identity while perpetrating fraud. Scam artists often pay cash for these phones or register them under fraudulent and deceptive names in order to control the name that displays on caller ID devices. The scam artists generally live in another state or country and use a name and phone number only for a short period of time, after which they throw the phone away and buy a new one. This makes it very difficult for law enforcement to track the scam artists down.

Report Unwanted Calls

If you receive unwanted telephone calls, you should file reports with the following agencies. In doing so, it is important to provide as much information as you can about the call, including the time and date of the call, the name and telephone number displayed on your caller ID device, and the nature of the call.

The Federal Trade Commission. The FTC has authority to enforce violations of the Do Not Call Registry. It also has authority to enforce federal laws regulating autodialed and prerecorded message calls, as well as interstate fraud perpetrated over the telephone. Accordingly, regardless of whether or not your telephone number is on the Do Not Call Registry, you should report unwanted or scam calls to the FTC as follows:

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue NW
Washington, D.C. 20580
Toll free: 1-877-382-4357
www.consumer.ftc.gov

The Federal Communications Commission. The Federal Communications Commission (“FCC”) has authority to enforce federal laws regulating caller ID spoofing. It may impose financial penalties against individuals in the United States who violate federal caller ID spoofing laws. You should report caller ID spoofing to the FCC as follows:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, D.C. 20554
Toll free: 1-888-225-5322
www.fcc.gov/complaints

The Minnesota Public Utilities Commission. The Minnesota Public Utilities Commission (“MPUC”) has authority over local telephone services like caller ID. It is important for the MPUC to hear from people who have been impacted by spoofed calls. Telephone “spoofers” do an end-run around Caller ID so that it does not work. The Minnesota Attorney General’s Office previously asked the MPUC to require phone companies that sell Caller ID technology to the public to take action to stop spoofed calls, but the MPUC declined to do so. You should report spoofed calls to the MPUC as follows:

Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101
651-296-0406
Toll free: 1-800-657-3782
www.puc.state.mn.us

Caller ID Spoofing and Cell Phones. Some consumers have reported receiving “spoofed” calls on their cell phones. This is particularly troubling to many citizens, because they are forced not only to deal with the nuisance, but also to pay for the expense of the call. Consumers who receive such “spoofed” calls on their cell phone should contact their wireless provider and make it aware of the call and ask it to take any action it can to stop future calls and to reverse any charges to the consumer’s account as a result of the call.

For more information, contact the Office of Minnesota Attorney General Lori Swanson as follows:

**Office of Minnesota Attorney General
Lori Swanson**
445 Minnesota Street, Bremer Tower 1400
St. Paul, MN 55101
651-296-3353 or 800-657-3787
TTY: 651-297-7206 or TTY: 800-366-4812

Other Steps You Can Take

- Hang up. Never press a number on your keypad to speak with a “representative” or to remove your phone telephone number from the caller’s list. When you press your keypad as directed, it alerts the caller that your phone number is active and will likely only lead to more unwanted calls.
- Collect as much information from your caller ID device as possible about the unwanted call, including the name and telephone number displayed on your caller ID device, as well as the time of the call. This information is important when reporting unwanted calls.
- Contact your phone company, which may offer calling features that help block unwanted calls. For example, your phone company may offer: (1) selective ringing, which allows people to have a list of numbers, such as those of family and friends, with a special ring; (2) selective call acceptance, which allows people to block all calls except those on a special list of phone numbers; and (3) selective call blocking, which allows people to selectively block numbers from which they do not wish to receive calls.