



The Do Not Call Registry and Unwanted Calls

From the Office of Minnesota Attorney General Keith Ellison

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?

The Problem

New technology has made unwanted telemarketing calls hard to stop. When the federal Do Not Call law was first enacted in the 1990s, it worked fairly well. Even today, most legitimate organizations still respect a person’s desire not to receive unwanted calls. Unfortunately, scammers and criminals do not.

Modern technology has enabled scammers to place millions of “spoofed” calls over the Internet and boldly violate the Do Not Call law—and evade detection. The calls are generally placed by criminals whose intent is to steal money, and these criminals do not follow regulatory “no call” laws. The scammers are almost always located outside of Minnesota, and many of them—including some of the most vicious callers—are based in foreign countries.

All of this has rendered the Do Not Call law much less effective than it once was and made it more difficult for people to stop unwanted calls.

Moreover, as discussed below, “spoofed” calls are placed using Voice over Internet Protocol to misrepresent the name and/or telephone number displayed on the recipient’s caller ID device. By “spoofing” their calling information, scammers can conceal their true location and identity. This makes the scammers hard to apprehend. Because the scammers are trying to steal money from people and have no regard for the law, they are not concerned about violating the Do Not Call law.

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 and has authority to enforce violations of 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

(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, [click here](#).

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

As noted above, one of the reasons that law enforcement agencies have difficulty apprehending those who make unwanted calls is that 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, and other criminals, 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 country or state 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.

Technology to Fight Technology

Technology is allowing these criminals to place the calls and evade detection, and technology hopefully will ultimately thwart the calls. The Federal Communications Commission (FCC) is the federal agency that has authority to regulate the telecommunications industry. Some phone companies previously claimed that federal laws that required them to connect dialed calls prohibited them from blocking unwanted calls. The Attorney

General's Office joined forces with attorneys general from other states to petition the FCC to require phone companies to invent call blocking technology to solve this problem. Following the submission of our petition, the FCC in 2015 encouraged phone companies to develop such technology. Since then, this Office—again working with other states' attorneys general—asked major phone companies to make such call-blocking technology available to their customers.

We recommend that you ask your phone company whether it plans to implement any new call-blocking services or technology in light of the FCC's rule clarification. We also recommend that you share your concerns about spoofed calls with the FCC, (at the address below) which has authority to take action against spoofed calls.

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
Bureau of Consumer Protection
600 Pennsylvania Avenue NW
Washington, D.C. 20580
(877) 382-4357
TTY: (866) 653-4261
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

445 12th Street, SW
Washington, D.C. 20554
(888) 225-5322
www.fcc.gov

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 Seventh Place East, Suite 350
St. Paul, MN 55101
(651) 296-0406 or (800) 657-3782
www.mn.gov/puc

