

Comments on Telemarketing Sales Rule Due This Week

January 24, 2011

Last month, the FTC issued an “Advance Notice of Proposed Rulemaking” seeking comments on whether and how to strengthen the Caller ID provisions of its Telemarketing Sales Rule. The Rule presently requires telemarketers to provide Caller ID information to allow consumers to screen out unwanted calls. The FTC seeks comments on how to make Caller ID more useful to consumers and combat technologies that hide telemarketers’ identities. Currently, the Caller ID regulations give telemarketers flexibility in determining what telephone numbers to transmit, and in determining whether the name of the telemarketer, or the name of the seller or charity, is displayed on Caller ID services.

According to the FTC, not all businesses abide by these Caller ID requirements. Recent FTC cases have charged telemarketers pitching fraudulent extended auto warranties and credit card interest rate reduction programs with violating the Caller ID requirements. The FTC’s request for comments notes that “spoofing” or manipulating Caller ID names and numbers may become more common as telemarketers increasingly use advanced telecommunications technologies. The FTC’s Notice details specific areas of inquiry but does not propose specific rule changes. It can be found [here](#). Those interested in filing public comments on the issue must do so by Friday, January 28, 2011.