

Resolution on Telemarketing and Do Not Call Lists

WHEREAS, The use of the telephone to market goods and services to residential customers is pervasive due to the increased use of cost-effective telephone solicitation techniques; and

WHEREAS, Over thirty thousand (30,000) businesses in the United States actively telemarket goods and services to business and residential customers; and

WHEREAS, Every day over three hundred thousand (300,000) solicitors place calls to more than eighteen million (18,000,000) Americans; and

WHEREAS, Telephone solicitations can be a bothersome invasion of the privacy of any residence; and

WHEREAS, individuals' privacy rights and commercial freedom of speech must be balanced in a way that accommodates both the privacy of individuals and legitimate telephone solicitation practices; and

WHEREAS, Federal and numerous state legislative and regulatory bodies have balanced the competing interests of individuals and telemarketers by taking steps to empower residential consumers to limit unwanted telephone solicitations by enrolling on Federal and State "Do Not Call" registers; and

WHEREAS, According to Direct Marketing Association, approximately three and one-half (3,500,000) million U.S. citizens have enrolled on the Federal Do Not Call register; and

WHEREAS, Residential customers' ability to use the technology of Caller ID to identify incoming calls as a device to screen solicitation calls is rendered useless by technologies that block some telemarketers' names and numbers from identification on the called parties' Caller ID equipment; and

WHEREAS, Recently introduced Federal legislation (S. 2029 and H.R. 3100) would make illegal solicitors' practices that block their names and telephone numbers from the called parties' Caller ID device; *now therefore be it*

RESOLVED, That the Board of Directors of National Association of Regulatory Utility Commissioners (NARUC) convened in its July 2000 Summer Meetings in Los Angeles, supports efforts by the Federal Trade Commission, Congress and the states to mandate adherence by telemarketers to requests by residential consumers not to receive telemarketing calls, when residential consumers register such request by enrolling on federal or state Do Not Call registers; and be it further

RESOLVED, That businesses engaging in telephone solicitations be required to honor the spirit and letter of Federal and State statutes and regulations by not telemarketing to the residential customers enrolled on Do Not Call registers; and be it further

RESOLVED, That Federal enforcement actions be intensified against telemarketers who violate the Federal Do Not Call statutes and regulations; and further

RESOLVED, That NARUC supports federal and state

legislative efforts that would make it illegal for telemarketers to block their name and address from appearing on residential consumers' Caller ID devices; and be it further

RESOLVED, That the General Counsel of NARUC provide a copy of this Resolution to every member of the U.S. Senate and U. S. House of Representatives and the Federal Communications Commission and the Federal Trade Commission.

Sponsored by the Committee on Consumer Affairs

Adopted by the NARUC Board of Directors, July 26, 2000.