



NEWS

Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE:
March 15, 2013

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FCC ENFORCEMENT BUREAU WARNS PURVEYORS OF ROBOCALLS: “DON’T CALL US . . . (OR) WE’LL CALL YOU.”

Citations Issued To Robocallers That Made Millions Of Calls To Wireless Phones Without Authorization

Washington, D.C. – Two providers of automatically dialed calls using prerecorded or artificial voice messages—“robocalls”—were issued citations today for making millions of robocalls to wireless phones without prior authorization from the call recipients. The FCC Enforcement Bureau’s Telecommunications Consumers Division conducted investigations and issued citations to Dialing Services, LLC and Richard Gilmore (d/b/a Democratic Dialing), respectively.

In its investigations, the Bureau uncovered evidence that Dialing Services, LLC and Democratic Dialing each made in excess of one million calls to wireless phones without the recipient’s authorization during certain months in 2011 and/or 2012. The investigations also showed that each company failed to provide certain identification information required under federal law.

“Consumers have increasingly been sounding the alarm on robocalls, rightly complaining about unwanted, intrusive cell phone calls and text messages from strangers, or worse yet computers,” said Michele Ellison, Chief of the FCC’s Enforcement Bureau. “These citations set the stage for significant monetary penalties if violations continue,” Ms. Ellison warned.

The Communications Act and the Commission’s rules generally prohibit robocalls and autodialed calls (including autodialed live calls, prerecorded or artificial voice messages, and autodialed text messages) to wireless phones and other mobile services (such as paging systems), unless the calls are made for emergency purposes, or the calls are made with the prior express consent of the called party. The Bureau’s investigations showed that none of the calls made by either company were for an emergency purpose. When FCC staff spoke to a sampling of call recipients directly, not one of them had ever given permission to anyone to robocall them on their wireless phones.

The citations require each company to certify within fifteen calendar days that it has ceased making robocalls to wireless phones without prior authorization, and that the calls it makes include the required identifications. Issuance of citations is the required first step before the FCC could impose fines of up to \$4.8 million for the particular violations at issue in the citations. Robocallers who make illegal calls to wireless phones may be liable for penalties of \$16,000 per

call, resulting in fines that could reach tens of millions of dollars or more, depending on the volume of violations.

Dialing Services, LLC—Citation:

http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-265A1.pdf

Richard Gilmore (d/b/a Democratic Dialing)—Citation:

http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-264A1.pdf

FCC Enforcement Advisory on Autodialed and Prerecorded Calls (Sept. 2012):

<http://www.fcc.gov/document/political-campaigns-restrictions-autodialed-prerecorded-calls>

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News about the Federal Communications Commission can also be found
on the Commission's web site www.fcc.gov.