

Accessing the "Do-Not-Call" Registry

Below is a brief overview of the registration process for the new "Do-Not-Call" Registry ("Registry") created by the federal government. The Registry will contain the telephone numbers of consumers who, by registering their telephone number(s), have made it illegal for callers making a "telephone solicitation" to call them. A "telephone solicitation" is defined as "a telephone call or message for the purpose of encouraging the purchase or rental of, or investment in, property, goods, or services, which is transmitted to any person" and covers the cold-calling activities of a real estate professionals. Go to <http://www.realtor.org/letterlw.nsf/pages/0803donotcallQ&A> to learn more about the Registry and its requirements.

A. Timing

The FCC and FTC will begin enforcing the new requirements on October 1, 2003. The Registry is now available for downloading. A telemarketer needs to update its list at least every three (3) months.

B. Registration Process

The Registry is available here: <https://telemarketing.donotcall.gov/>.

Once you have reached the Registry home page, the next step is to begin the registration process by creating a profile for your company or organization (registration link is at the bottom of the page).

There are three ways to register your organization. First, you can register your own organization (registering in this manner will not limit your ability to later allow another entity to conduct telemarketing on your behalf). Second, you can have a third party register your organization. Finally, exempt charitable organizations can register and receive access to the Registry (even though they are otherwise exempt from the Do-Not-Call requirements), in order to avoid calling numbers listed in the Registry.

After you have determined how you would like to register your organization, you will create a profile for your organization. In creating the "Profile", you will need all of the contact information for the organization as well as its Employer Identification number or, if no such number exists, the owner/proprietor's own Social Security number. The party completing the registration will then need to provide information for the organization's "Authorized Representative."

The Authorized Representative controls the organization's access to the Registry. The "Authorized Representative" selects the area codes which the organization will download. The Authorized Representative must provide an email address as well as an email address for the "Downloader". The Downloader is the person who will be responsible for downloading the selected area codes. The Authorized Representative and the Downloader can be the same person, and the email addresses can be the same. The Downloader password could also be shared by more than one employee of the organization. Once you have submitted this information, an email will be sent to both addresses, which needs to be clicked for confirmation by both recipients.

Following your submission of your organization's registration information, you will receive your organization's ID as well as the Authorized Representative's password and the Downloader's password. You will want to store these in a secure location, as this information is needed to access the Registry. To change the password(s), click the "Review/Update Profile" button. Only the Authorized Representative can change the passwords.

C. Selecting Area Codes

The next step is selecting the area codes you would like to download. The first five area codes are free, and thereafter you pay \$25/area code. You are given three options when selecting area codes: 1. All area codes in United States (cost- \$7,375); 2. All Area Codes by State (meaning you will receive all of the area codes for a particular state); or, 3. Area Code by Area Code Number (allows you select specific area codes that you would like to download). Only the organization's Authorized Representative can select which area codes can be downloaded.

Once the area codes have been selected (and paid for, if more than five (5) were selected), they can be downloaded. Note that subscriptions to the Registry only last for a year, and so will be need to renewed annually and so any subscription fees for more than five (5) area codes will need to be paid on an annual basis. Obtaining additional area codes following your organization's registration will cost \$25/area code during the first six (6) months after your registration, and then cost \$15/area code during the final six months of your registration. Payment can be made via credit card or electronic fund transfer.

D. Downloading Area Codes

After clicking the "Download" button on the site's navigation bar, you will be presented with three options. The first option is "Download Full List", which allows you to download the whole list for the area code(s) you have selected for download. You can only download an entire area code list once in a 24-hour period.

There are two file formats you can download the list in: Flat Text (which contains only the data) or XML Tagged File (which contains data as well as data fields). The XML format will only be useful if you are downloading your list into a specific database.

Telephone numbers are listed in numeric order. The files are in a zip format, so you will need "unzip" the files in order to download. Two common types of software used for unzipping files are WinZip (www.winzip.com) and PKZIP (www.pkware.com). Both sites contain instructions for unzipping files. After unzipping the files, you will open the Flat Text files into Note Pad or Word Pad (as noted, the XML format should only be selected if you are using an appropriately coded database).

Another option on the Download page is "Download Change List." Using this option will create a list of changes to an area code list since your last download. You will receive an email with a link to the custom-prepared list once it is ready. This list is supposed to be ready within 24 hours from request.

Finally, you can look up telephone numbers via an interactive phone number search. You will be able to check up to ten (10) numbers at a time to see if they are in the Registry. Of course, to use this feature, the numbers will have to be in the area codes you have selected for downloading. The search will come back "Registered" or "Not Registered". You can search up to a 100 numbers per search session. This search option is probably the most useful for an organization that engages in limited cold-calling (like a small real estate brokerage office).

E. Help Desk

If you have any problems, there is a help desk whose hours are 8 AM- 8 PM Eastern Time, M-F (except holidays). The help desk only responds to email, and the email address is: rm-FTChelp@ems.att.com. Click the "Contact Help Desk" icon for more information.