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For Immediate Release

CHAIRWOMAN ROSENWORCEL AIMS TO PROTECT CONSUMERS FROM UNWANTED 'RINGLESS VOICEMAIL' ROBOCALLS

Proposal Declares Technology that Leaves Ringless Voicemails on Consumer Cell Phones Is Subject to FCC Robocalling Restrictions

WASHINGTON, February 2, 2022—Federal Communications Commission Chairwoman Jessica Rosenworcel today shared with her colleagues an action which would, if adopted by a vote of the full Commission, require callers to obtain a consumer's consent before delivering a "ringless voicemail," a message left in their mailbox without ringing their cell phone.

The Telephone Consumer Protection Act (TCPA), which protects consumers from unwanted robocalls, prohibits making any non-emergency call using an automatic telephone dialing system or an artificial or prerecorded voice to a wireless telephone number without the prior express consent of the called party.

"Ringless voicemail can be annoying, invasive, and can lead to fraud like other robocalls—so it should face the same consumer protection rules," said Chairwoman Rosenworcel. "No one wants to wade through voicemail spam, or miss important messages because their mailbox is full. This FCC action would continue to empower consumers to choose which parties they give permission to contact them."

The Declaratory Ruling and Order responds to a petition filed by All About the Message. The petitioner asked the Commission to find that delivery of a message directly to a consumer's cell phone voicemail is not a call protected by the TCPA. The Chairwoman's proposed action would find ringless voicemails are, in fact, "calls" that require consumers' prior express consent, and thus deny the petition.

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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).