

Government Contractors Must Have Consent Before Robocalling Consumers

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WASHINGTON - The Federal Communications Commission has ruled that government contractors must have consent before robocalling consumers. Today's order reconsidered a 2016 interpretation of the Telephone Consumer Protection Act adopted by the prior FCC that allowed federal contractors to robocall consumers without their prior express consent.

The Order on Reconsideration confirms that contractors working for federal, state, or local governments—along with local governments themselves—must obtain consumer consent before making robocalls. The Commission also clarified that federal and state government callers, when acting in an official capacity, are not subject to the prior consent requirements of the TCPA. Today's ruling does not supersede the Commission's prior emergency calls exemptions, which apply to calls like those providing critical pandemic information.

The decision is the latest Commission action to protect consumers from unwanted robocalls. Other recent actions include empowering telephone companies to block illegal and unwanted robocalls before they reach consumer phones and adopting rules to restore trust in Caller ID information.