Consumer Guide



Political Campaign Robocalls and Robotexts Rules

This election season, like those before, will likely lead to an increase in calls and texts from political campaigns. While campaign calls and texts are exempt from the National Do Not Call Registry requirements, the Telephone Consumer Protection Act (TCPA) contains specific rules they must follow.

In general, robocalls and robotexts to mobile phones require prior consent. Political robocalls to landlines are allowed without prior consent, but there are exceptions as detailed below. In addition, political robocalls made to residential landline phones without the prior consent of the called party are limited to no more than three calls within any consecutive 30-day period.

Importantly, for calls and texts that require consent, the caller must honor the called party's request to revoke consent. The called party can revoke consent at any time and in any reasonable manner, such as replying "stop" to a text or asking not to be called again on a voice call.

Political Robocall Restrictions

Political campaign-related autodialed or prerecorded voice calls, including autodialed live calls, autodialed texts, and prerecorded voice messages, are prohibited to cell phones, pagers, or other mobile devices without the called party's prior express consent. The same restrictions apply to protected phone lines such as emergency or toll-free lines, or lines serving hospitals or similar facilities.

Political campaign-related autodialed or prerecorded voice calls are permitted when made to landline telephones, even without prior express consent.

Regarding artificial intelligence (AI), the FCC recently declared that calls made with AIgenerated voices are considered "artificial" under the TCPA, making voice cloning technology used in common robocall scams targeting consumers illegal in many cases. The ruling followed an investigation into illegal robocalls made to New Hampshire voters that used AI-generated deepfake voice technology. The calls mimicked President Biden's voice with a message telling voters not to vote in the New Hampshire primary election.

Artificial or prerecorded voice messages must include certain identification information:

 The identity of the individual, or other entity initiating the call must be clearly stated at the beginning of the prerecorded message.

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- If the calling party is a corporate entity, the entity's official business name must be stated clearly at the beginning of the message.
- The telephone number of the calling party must be provided, either during or after the message.

Political Robotexts

Robotexts – text messages generated through autodialing – are also considered a type of call and must comply with the same rules as robocalls. Political text messages sent to a mobile phone using an autodialer require the called party's prior express consent. Messages sent manually can be sent without prior consent.

If you are receiving texts that you didn't ask for, report the sender by forwarding the texts to 7726 (or "SPAM").

Campaigns should also honor opt-out requests if you reply "STOP."

Report Unwanted Calls and Texts

If you think you've received a political robocall or text that does not comply with the FCC's rules, you can file an informal complaint with the FCC at fcc.gov/complaints.

Filing a complaint

You have multiple options for filing a complaint with the FCC:

- File a complaint online at https://consumercomplaints.fcc.gov
- By phone: 1-888-CALL-FCC (1-888-225-5322); ASL: 1-844-432-2275
- By mail (please include your name, address, contact information and as much detail about your complaint as possible):

Federal Communications Commission Consumer and Governmental Affairs Bureau Consumer Inquiries and Complaints Division 45 L Street NE Washington, DC 20554

Learn More

For more information about robocalls and texts, visit <u>fcc.gov/robocalls</u>. Our consumer guide includes tips to help you spot scams and avoid unwanted calls and texts, along with links to call-blocking resources.

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Alternate formats

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