

Paul Vogel

Federal Trade Commission  
For the Consumer

Re: Proposed Amendment to the Telemarketing Sales Rule

Dear Sir or Madam,

I would very much like to comment on the proposed amendment to the Telemarketing Sales Rule. First let me start by stating that the original legislation was a great achievement in an effort to protect people's privacy against an ongoing barrage of unwanted telephone solicitation. Before this legislation was passed, I was receiving approximately 7-8 UNWANTED/UNSOLICITED telephone calls on a daily basis. These calls were received all hours of the day, often by companies who did not even identify themselves on my caller ID service. The problem became so great that I had to contact my telephone company with a request for help in reducing the number of unwanted telemarketing calls that I was receiving. Unfortunately, the only assistance the telephone company had to offer was to change my home telephone number. That was not a viable option to me because of the fact that it was a huge inconvenience, and I knew that it would be only a matter of time before all of the same companies started calling my new number.

After the Telemarketing Sales Rule was put into effect, the unwanted phone calls ceased almost immediately. I went from the aforementioned 7-8 calls per day to pretty much zero telemarketing calls. Occasionally, I would receive a random call from a company that I had to remind of the rule, and then I would usually not hear from them again.

My point is that this legislation was extremely effective in accomplishing its intended task. Whenever I have discussed this issue over the past year or so, I have not spoken to a single individual who did not consider telemarketing calls an invasion of privacy, and a huge annoyance. Every person I know is on the "Do Not Call List" in order to combat these companies in their efforts to intrude on our lives.

All that being said, I think that it is absolutely ABSURD that consideration would be given to allow these same companies to begin bombarding everyone with pre-recorded messages. Does anybody really believe that a pre-recorded message is less of an invasion of privacy, or less of an annoyance than a live individual on the other end making the call?

I firmly believe that companies that wish to market a product or service have many outlets to do so without interrupting a person's daily routine and invading his/her privacy. They can use mailings, newspaper ads, radio, television etc.

I urge you to please, for the sake of all the citizenry, do not succumb to the obvious political lobbying that is being performed by these companies that has prompted even the slightest consideration of a loophole to allow their unwanted activities to commence once again.

I would, in fact, urge you to make some changes in the opposite direction. I would make the Telemarketing Sales Rule even more restrictive. I would remove the options that allow companies to contact you if they have a "previous business relationship" with you. Some companies have used very

imaginative ways to create “previous business relationships” in an attempt to circumvent this legislation. In addition, I would make it mandatory for all companies phoning anyone’s home unsolicited to identify themselves positively by way of caller ID service. No company phoning my home should be allowed to do so with a “private” or “unavailable” listing. I have had a couple of experiences in which the company’s representative became hostile when I mentioned the Telemarketing Sales Rule Legislation. These representatives often do not give you the common courtesy of positively identifying themselves or their organization. The best way to combat this is to require Caller ID listings for all telemarketing phone calls, regardless of “previous business relationships”.

Please do not be bullied into altering a truly useful and effective piece of legislation into a useless one that does not have the public’s best interest at heart. I believe that anyone who has carefully considered this issue would agree that this proposed loophole would in no way be in the public’s best interest. The only people who could benefit from this proposed amendment would be big business, and possibly those who get hired to do telephone “commercials” for a living.

I sincerely thank you for taking my opinion into account, and I trust that all of those involved will make the right decision and deny this loophole, as it would be a tremendous travesty to do otherwise.

Respectfully Submitted,

Paul Vogel