

Avoiding Spam: Unwanted Email and Text Messages

Spam – unwanted messages to email accounts and texts to mobile phones and other mobile devices – may seem an unavoidable consequence of today’s telecommunications, but the FCC rules to protect consumers and there are steps you can take to reduce the volume of spam you receive.

How can I avoid spam?

To reduce the number of unwanted email and texts you receive:

- Be careful about giving out your mobile phone number, email address or any other personal information.
- Read through commercial web forms. Some websites allow you to opt out of receiving email from partners – but you may have to uncheck a preselected box if you want to do so.
- Check for a privacy policy when submitting your wireless phone number or email address to any website. Find out if the policy allows the company to sell or share your information.
- Do not respond to unwanted texts or emails from questionable sources. Several mobile service providers allow you to block the sender by forwarding unwanted texts to 7726 (or "SPAM"). Check with your provider about other options.
- Use a "junk mail" or "spam" email filter.
- Consider using two email addresses – keeping one for personal messages only.

What are the rules about unwanted texts to your mobile phone?

FCC rules ban text messages sent to a mobile phone using an autodialer (which most commercial spam uses) unless you previously gave consent to receive the message or the message is sent for emergency purposes. The ban applies even if you have not placed your mobile phone number on the national Do-Not-Call list. (<https://consumercomplaints.fcc.gov/hc/en-us/articles/202916660>).

What does it mean to “give your consent”?

For email and texts sent to your mobile phone:

- For commercial texts, your consent must be in writing.
- For non-commercial, informational texts (such as those sent by or on behalf of tax-exempt non-profit organizations, those for political purposes, and other noncommercial purposes, such as school closings), your consent may be oral.

For commercial email:

- Your consent may be oral or written.
- Senders must tell you the name of the entity that will be sending the messages and, if different, the name of the entity advertising products or services.
- All commercial email messages sent to you after you've given your authorization must allow you to "opt out" of receiving future messages. You must be allowed to opt out the same way you opted in, such as responding with a short code. Senders have 10 days to honor requests to opt out.

While most unsolicited commercial emails and text messages are not banned by law, they are required to include three elements:

- Honest and relevant content about who is sending the message, what the subject is, and a physical address for the marketer.
- A method to “unsubscribe” from future spam.
- Compliance with a set of “sending behavior” practices to help inform and protect consumers, such as including at least one sentence of text and a valid header in each email.

Filing a complaint

You can file a complaint with the FCC if you receive:

- An unwanted commercial email message sent to your mobile phone.
- An autodialed or prerecorded voice message or text message sent to your mobile phone if you didn't consent to the message previously (or it doesn't involve an emergency).
- Any autodialed text message on your wireless device, or an unwanted commercial message to a non-wireless device from a telecommunications company or advertising a telecommunications company's products or services, if sent without your prior consent.

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); TTY: 1-888-TELL-FCC (1-888-835-5322); 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
445 12th Street, S.W.
Washington, DC 20554

Commercial email on non-wireless devices

Federal Trade Commission rules restrict sending unwanted commercial email messages to computers. To find out more or report any spam you believe is fraudulent or deceptive, visit www.ftc.gov/spam.

Accessible formats

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