



SAFE HARBOR CHECKLIST

The Do Not Call (DNC) Safe Harbor consists of having processes and procedures in place to comply with the DNC rules and being able to prove compliance. The FTC and FCC recognize Safe Harbor as a defensible position. Both agencies have demonstrated that the provisions of the Safe Harbor defense are strictly interpreted and enforced.

1. Have in place a written Do-Not-Call policy and compliance guide:

All companies conducting telemarketing campaigns must have in place written procedures to comply with National DNC rules including, but not limited to, how to handle and process DNC requests from consumers.

2. Conduct Employee Training:

Companies must train their employees, and any entity assisting in the company's compliance, on these written procedures. Any records relating to employee training should be maintained.

3. Maintain an internal company-specific Do Not Call list:

Companies must maintain and record a list of telephone numbers that they may not contact, and must have in place a process to prevent telephone solicitations to the numbers on their company's internal DNC list. Any DNC request should be honored as soon as possible, but within 30 days of the request.

4. Purchase & use the federal, state and other DNC lists:

The national DNC list must be purchased, downloaded, and scrubbed against every 31 days. The 12 state DNC lists must be purchased and downloaded, according to the frequency required by each individual State. The Wireless lists require telemarketers to abide by the wireless rules within 15 days after a wireless number has been ported from a wire line.

5. Monitor and enforce compliance:

Companies are required to monitor for compliance, including 3rd parties acting on their behalf. Records of all compliance programs, audits and activity should be archived, in order to prove due diligence. Enforcement of violations should be documented.