



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

For Immediate Release:
April 5, 2006

News Media Contact:
Rosemary Kimball at (202) 418-0511
e-mail: rosemary.kimball@fcc.gov

FCC AMENDS RULES TO IMPLEMENT JUNK FAX PREVENTION ACT OF 2005

Washington, DC -- The Commission has adopted rules to implement the provisions of the Junk Fax Prevention Act of 2005.

Specifically, the Commission:

1. Codified an exemption to the fax rules to allow fax advertisements to be sent to parties with whom the sender has an established business relationship (EBR);
2. Required that, even in the case of an EBR, a person sending a fax advertisement must obtain the fax number directly from the recipient or ensure that the recipient voluntarily agreed to make the number available for public distribution;
3. Provided a definition of an EBR to be used in the context of sending fax advertisements;
4. Required the sender of fax advertisements to provide clear and conspicuous notice and contact information on the first page of a fax that allows recipients to “opt-out” of future fax transmissions from the sender;
5. Required senders to honor opt-out requests within the shortest reasonable period of time, not to exceed 30 days;
6. Determined not to exempt small businesses or nonprofit trade associations from the rules; and,
7. Clarified the term “unsolicited advertisement.”

These rules become effective 90 days after publication in the Federal Register.

Action by the Commission April 5, 2006, by Report and Order and Third Order on Reconsideration (FCC 06-42). Chairman Martin, Commissioners Copps, Adelstein and Tate.

- FCC -

CG Docket No. 02-278
CG Docket No. 05-338

CGB Contact: Erica H. McMahon at (202) 418-0346

