



AUTO ATTENDANT / RESEARCH & PRACTICAL GUIDANCE

Do Not Call Registry and TSR: Small Business Basics

Get a business phone number with a simple auto attendant menu from Auto Attendant. A caller picks who they need and the call rings that person's own mobile, so nobody on your team has to publish a personal number.

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The short answer

If your business phones consumers to sell something, two federal rule sets apply to you at the same time: the Federal Trade Commission's Telemarketing Sales Rule (TSR, 16 CFR Part 310) and the Federal Communications Commission's do-not-call rules under the Telephone Consumer Protection Act (TCPA, 47 CFR 64.1200). In practice, as of October 2026, that means:

- Before you call, pay for (or claim the free tier of) access to the National Do Not Call Registry for every area code you call. The fee for the FTC's fiscal year 2027 (from October 1, 2026) is \$85 per area code, the first five are free, and the cap is \$23,425 ([16 CFR 310.8\(c\)](#)).
- Remove Registry numbers from your call list at least every 31 days ([FTC business guide](#)).
- Keep your own internal do-not-call list and honor requests within 10 business days ([47 CFR 64.1200\(d\)\(3\)](#)).
- Call homes only between 8 a.m. and 9 p.m., the called person's local time ([16 CFR 310.4\(c\)](#)).
- Most calls to businesses are exempt, with exceptions covered below.

Civil penalties under the TSR run up to \$53,088 per violation ([FTC business guide](#)), and individuals can also sue under the TCPA. This article is educational, not legal advice; check your own situation, including state law, with counsel.

Two rules, one registry

Since June 2003 the FTC and FCC have jointly enforced one National Do Not Call Registry, and together they cover nearly all sales calls to U.S. consumers ([FTC business guide](#)). The FCC side rests on a statute authorizing "a single national database" of residential subscribers who object to telephone solicitations ([47 U.S.C. 227\(c\)\(3\)](#)).

	FTC: Telemarketing Sales Rule	FCC: TCPA rules
Regulation	16 CFR Part 310	47 CFR 64.1200
Reach	Campaigns involving more than one interstate call	Intrastate and interstate calls
Enforcement	FTC civil penalties, injunctions, redress	FCC enforcement, plus private lawsuits (47 U.S.C. 227(c)(5))

A purely local business that never makes an interstate call may sit outside the TSR, but the FCC rules still cover intrastate calls; the FTC guide makes this point for small home-based sellers ([FTC business guide](#)). Plan to follow both.

State law sits on top: the TSR does not preempt it, and the same guide says some thirteen states run their own do-not-call registries. This article does not cover state lists; check the states you call.

What the Registry is, and is not

From the FTC's consumer FAQ ([FTC consumer FAQ](#)):

- **Free for consumers**, and registration never expires unless the number is disconnected and reassigned or the person asks.
- **Home and cell numbers are treated the same.**
- **It does not block calls.** It tells law-abiding telemarketers which numbers not to call. Scammers ignore it.
- **31 days.** A registration shows up the next day, but sales calls can take up to 31 days to stop.
- **Personal numbers only.** "The Registry is for personal phone numbers. Business phone numbers and fax lines are not covered."

Under FCC rules, registrations must be honored indefinitely, until the consumer cancels or the number is removed by the administrator ([47 CFR 64.1200\(c\)\(2\)](#)).

The business-to-business exemption and its limits

Most calls from a telemarketer to a business are exempt from the TSR, including its Registry prohibition ([16 CFR 310.6\(b\)\(7\)](#)). Three limits:

1. **Nondurable office or cleaning supplies.** Calls to induce the retail sale of nondurable office or cleaning supplies are not exempt. The FTC's examples: paper, pencils, toner and ink, anything used up and replaced; copiers, software and mops are durable. These sellers are still excused from the Registry provisions and TSR recordkeeping ([FTC business guide](#); [16 CFR 310.6\(b\)\(7\)\(ii\)](#)).
2. **Employees buying for themselves.** A call to a business line that solicits an individual employee to buy something for personal use, or to make a personal donation, is not a business-to-business call and is not exempt ([FTC business guide](#)).
3. **No exemption for misrepresentation.** As the rule now reads, the B2B exemption does not apply to the TSR's bans on misrepresenting material information in 310.3(a)(2) and (a)(4) ([16 CFR 310.6\(b\)\(7\)\(i\)](#)). Being exempt from the Registry is not permission to mislead.

The hard part is knowing whether a number is a business line. A sole proprietor's listed cell may also be a personal phone. If you cannot tell, treat it as a consumer number and scrub it.

Do you have to pay to access the Registry?

Usually yes, if you are a seller covered by the TSR. A seller may not call anyone in an area code, even unregistered numbers, until it has paid for that area code's data, unless it calls only people with whom it has an established business relationship or written permission and does not otherwise access the Registry ([16 CFR 310.8\(a\)](#)).

Fees for fiscal year 2027 (effective October 1, 2026), set by the FTC's final rule of August 26, 2026 ([91 FR 54947](#)) and now in [16 CFR 310.8\(c\)-\(d\)](#):

Item	FY2026	FY2027 (from Oct 1, 2026)
Per area code, per year	\$82	\$85
First five area codes	Free	Free
Maximum (all area codes)	\$22,626	\$23,425
Adding an area code in the second six months	\$41	\$43

Other rules worth knowing ([16 CFR 310.8](#); [FTC business guide](#)):

- Access lasts twelve months from the first day of the month you pay; an area code added in the first six months costs the full \$85.
- Sharing access costs with another seller is prohibited.
- A telemarketer can use its client's Subscription Account Number (SAN).
- Registered users can check up to 10 numbers at a time online, at telemarketing.donotcall.gov.
- Registry data may be used only to prevent calls.

A business calling three or four local area codes pays nothing, but must still register, certify and download.

The 31-day scrub and the safe harbor

Sellers and telemarketers must delete Registry numbers from their call lists at least every 31 days ([FTC business guide](#)). Both rule sets offer a safe harbor for mistakes if you can show, as routine practice, that you ([16 CFR 310.4\(b\)\(3\)](#); [47 CFR 64.1200\(c\)\(2\)\(i\)](#)):

- [] have written do-not-call procedures, and actually use them;
- [] trained your staff, and any vendor helping you, on those procedures;
- [] keep and record your own internal do-not-call list;
- [] use a process that blocks calls to numbers on that list and on the Registry, using a Registry version downloaded **no more than 31 days** before each call, and keep records of that process;
- [] monitor and enforce compliance (TSR); and

- [] can show that any bad call was an error, not a failure to capture a do-not-call request.

The FTC warns that a high rate of "errors" can show the procedures are inadequate.

Records. Since the 2024 amendments, TSR records must be kept for 5 years ([16 CFR 310.5\(a\)](#)); the FTC guide's recordkeeping section still says two years, but the regulation controls. A minimum file:

Keep	Why
Date and area codes of each Registry download, and your SAN	Proves the 31-day process
Internal do-not-call entries (name, number, date, what you were selling)	310.5(a)(10)
Written consents to call, with signature and number	310.4(b)(1)(iii)(B)(1) and 310.5(a)(8)
Inquiry records you rely on for callbacks (name, number, date, product)	310.5(a)(5)

Your own internal do-not-call list

You must honor anyone who asks you to stop calling, registered or not ([16 CFR 310.4\(b\)\(1\)\(iii\)\(A\)](#)). The FCC's minimum standards ([47 CFR 64.1200\(d\)](#)):

1. **Written policy**, available on demand.
2. **Training** for everyone involved in telemarketing.
3. **Record the request at the time it is made** and honor it within a reasonable time, **no more than 10 business days**.
4. **Identify yourself**: caller's name, business name, and a phone number or address where you can be reached.
5. **Keep the request for 5 years**.
6. A do-not-call request covers the entity that called, not affiliates, unless the consumer would reasonably expect them to be included.

The TSR also forbids making opting out hard: hanging up, requiring a pitch first, or sending the person to another number all count as interfering ([FTC business guide](#)).

The established business relationship (EBR). You may call a registered number if you have an EBR and the person has not asked you to stop:

	TSR (16 CFR 310.2)	FCC (47 CFR 64.1200(f))
Purchase or transaction	Within 540 days (the FTC guide says 18 months)	Within 18 months
Inquiry or application	Within 90 days (three months)	Within three months
Ended by	A do-not-call request	A seller-specific do-not-call request, even if the person keeps buying

The FTC notes the EBR exemption covers live agent calls, not robocalls.

A script for the request. When someone says "stop calling":

"Understood. I'm adding this number to our do-not-call list now. You won't get more sales calls from [Business Name]. Is there any other number you'd like added?"

Then log it before the next call, not at the end of the day.

Calling hours and penalties

Hours. Without prior consent, no telemarketing calls to a person's residence before 8:00 a.m. or after 9:00 p.m. local time at the called person's location ([16 CFR 310.4\(c\)](#); [47 CFR 64.1200\(c\)\(1\)](#)). Use the called person's time zone, not your office's.

FTC penalties. TSR violators face civil penalties of up to \$53,088 per violation, plus injunctions and consumer redress ([FTC business guide](#)). That figure is the FTC Act section 5(m)(1)(A) amount in [16 CFR 1.98\(d\)](#). It is normally adjusted for inflation each year, but on September 15, 2026 the FTC announced no 2026 adjustment, because OMB cancelled it after the October 2025 CPI data was not produced during the government shutdown; 2025 levels continue ([91 FR 58446](#)). The FTC's consumer FAQ still shows an outdated figure, \$50,120 per call (the 2023 level) ([FTC consumer FAQ](#)); \$53,088 is the current one. Each call can be a separate violation, and a seller that has not paid for Registry access can be liable for calls even to unregistered numbers ([FTC business guide](#)).

Private lawsuits. Under the TCPA, a person who receives more than one call within 12 months from the same entity in violation of the FCC do-not-call rules can sue for actual losses or up to \$500 per violation, and a court can triple that for willful or knowing violations ([47 U.S.C. 227\(c\)\(5\)](#)).

Does this apply to a business that only receives calls?

Mostly not, for the inbound calls themselves. A call a customer places on their own, not prompted by any solicitation, is exempt from the TSR, except for any upsell you add during that call ([16 CFR 310.6\(b\)\(4\)](#)). Calls responding to general media ads are also exempt, with exceptions such as debt relief and technical support ([16 CFR 310.6\(b\)\(5\)](#)). Do-not-call rules govern calls you make, not calls you answer.

The rules come back into play the moment your staff call people back:

Callback situation	Likely treatment
Returning a voicemail about the caller's own question, appointment or order	Not a sales call; the do-not-call rules target solicitations
Calling back someone who asked about a product, within three months	Inquiry-based EBR lets you call even if they are registered, unless they ask you to stop (FTC business guide)
Calling the same person months later with a new offer	Needs a recent purchase (18 months) or written permission if the number is registered
A past customer said "don't call me again"	No sales calls, even if they still buy from you (47 CFR 64.1200(f))

Callback situation	Likely treatment
Prerecorded or AI-voice callbacks	Separate consent rules apply; the FCC requires prior written consent for prerecorded telemarketing calls (FCC)

The first row is our reading, not agency text. If a service callback turns into a pitch, treat that part as telemarketing. Log each inquiry's date so you can show when the three-month window started.

Spam labels on your outbound calls are a separate carrier issue; see [why a business number shows up as spam](#) and the [STIR/SHAKEN guide](#).

FAQ

Can I register my business line on the Registry? No. The FTC says the Registry is for personal phone numbers; business and fax lines are not covered ([FTC consumer FAQ](#)). To cut unwanted calls to your office, see [how to stop spam calls to your business](#).

Does a cell number count? Yes. Cell numbers can be registered and are treated the same as home numbers ([FTC consumer FAQ](#)). The FCC applies its do-not-call rules to wireless numbers as well ([47 CFR 64.1200\(e\)](#)).

Is a sole proprietor's line "residential"? Unclear, and we could not find a primary source that settles it for every case. If the number is also someone's personal phone, or it appears on the Registry, treat it as a consumer number.

Do I need to scrub if I only call my own customers? If you call only people with a current EBR or written permission, the TSR does not require you to pay for Registry access ([16 CFR 310.8\(a\)](#)). You still need an internal do-not-call list, and the EBR ends when a purchase is more than 18 months old.

Auto Attendant (\$29 USD per line per month) handles calls coming in to your business number and does not place outbound calls.

Sources

- [16 CFR 310.2, Definitions](#) (eCFR, FTC Telemarketing Sales Rule): established business relationship (540 days / 90 days).
- [16 CFR 310.4, Abusive telemarketing acts or practices](#) (eCFR): seller-specific and Registry prohibitions, safe harbor, 8 a.m.-9 p.m. calling hours.
- [16 CFR 310.5, Recordkeeping requirements](#) (eCFR): 5-year retention and required records.
- [16 CFR 310.6, Exemptions](#) (eCFR): B2B exemption and its limits, customer-initiated and general-media calls.
- [16 CFR 310.8, Fee for access to the National Do Not Call Registry](#) (eCFR, current as of October 2026): \$85, five free, \$23,425 cap, \$43 second-half add, no cost sharing.
- [Telemarketing Sales Rule Fees, 91 FR 54947, August 26, 2026](#) (Federal Register, FTC): FY2027 fees effective October 1, 2026, and prior FY2026 amounts.
- [16 CFR 1.98, Adjustment of civil monetary penalty amounts](#) (eCFR, FTC): \$53,088 for FTC Act section 5(m)(1)(A).

- [Civil Penalty Inflation Adjustments, 91 FR 58446, September 15, 2026](#) (Federal Register, FTC): no 2026 adjustment; 2025 levels continue.
- [Complying with the Telemarketing Sales Rule](#) (FTC business guidance): scope, B2B examples, 31-day update, fees, safe harbor, EBR, penalties, state registries.
- [National Do Not Call Registry FAQs](#) (FTC Consumer Advice): free registration, no blocking, 31 days, personal numbers only, cell phones, older \$50,120 figure.
- [47 CFR 64.1200, Delivery restrictions](#) (eCFR, FCC): national DNC and safe harbor, internal list standards, 10 business days, 5 years, EBR, wireless numbers.
- [47 U.S. Code 227](#) (Legal Information Institute, Cornell): single national database authority, private right of action (\$500, up to triple).
- [Stop Unwanted Robocalls and Texts](#) (FCC consumer guide): prior written consent for prerecorded telemarketing calls.
- [National Do Not Call Registry for telemarketers](#) (FTC): business registration and access site.

Source links

Links cited in this article, in order of first appearance. Full addresses are provided for readers using extracted text.

1. <https://www.ecfr.gov/current/title-16/section-310.8>
2. <https://www.ftc.gov/business-guidance/resources/complying-telemarketing-sales-rule>
3. <https://www.ecfr.gov/current/title-47/section-64.1200>
4. <https://www.ecfr.gov/current/title-16/section-310.4>
5. <https://www.law.cornell.edu/uscode/text/47/227>
6. <https://consumer.ftc.gov/articles/national-do-not-call-registry-faqs>
7. <https://www.ecfr.gov/current/title-16/section-310.6>
8. <https://www.federalregister.gov/documents/2026/08/26/2026-17428/telemarketing-sales-rule-fees>
9. <https://telemarketing.donotcall.gov>
10. <https://www.ecfr.gov/current/title-16/section-310.5>
11. <https://www.ecfr.gov/current/title-16/section-310.2>
12. <https://www.ecfr.gov/current/title-16/section-1.98>
13. <https://www.federalregister.gov/documents/2026/09/15/2026-18853/civil-penalty-inflation-adjustments>
14. <https://www.fcc.gov/consumers/guides/stop-unwanted-robocalls-and-texts>

THE PUBLISHER

About Auto Attendant

Auto Attendant gives a small business one phone number and a recorded menu that sends each caller to the right person. The call rings the mobile that person already carries, using their normal dialler and their normal mobile plan. Pricing is a single flat monthly fee for the whole company rather than a charge for each user, and there is no app, desk phone or hardware to install.

One number, one menu, the phones you already own

A caller dials the business number, hears a short greeting and chooses an option. Each option can ring one mobile, ring several at once so whoever is free answers first, or try people one after another in a set order. There is no limit on how many people sit on the receiving end, because nobody is billed per seat. Setup is done by the owner in a few minutes: pick a number, write the greeting, and point each option at a mobile.

What it deliberately is not

An auto attendant routes a call; it does not answer one. Nobody at Auto Attendant speaks to callers, and no AI stands in for a receptionist. A business that wants its calls handled, messages taken and appointments booked wants an answering service, which is a different product at a different price. A business that needs call recording, queues, agent dashboards or CRM integration wants a contact centre platform. Auto Attendant is for the case where the call should simply reach the right pocket.

Keeping personal numbers off the internet

The business number is the only number a caller ever sees. Personal mobile numbers are never displayed and never given out, which is what lets an owner put a number on a website, an invoice, a van or a Google Business Profile without handing a personal line to everyone who finds it. An existing advertised number can be ported across and kept, and the old line keeps working while the port is in progress.

Work with Auto Attendant

Visit [Auto Attendant](#) to see [how it works](#), [how it compares](#) to a personal mobile, Google Voice and a full phone platform, and the current [pricing](#).

Telephone number portability, emergency calling and caller-ID rules differ by country and change over time. Articles published here describe general practice and cite primary regulator and carrier sources; they are not a guarantee of any timeline, and they are not legal or regulatory advice for a specific business.

Website: <https://autoattendant.io>

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