

FCC will enforce rules barring telemarketers

The FCC Chairman asks telemarketers not to call the 50 million numbers on the do-not-call list

By Frank James
Chicago Tribune (KRT)

WASHINGTON — With legal uncertainty hanging over efforts to rein in annoying telemarketing calls, the head of the Federal Communications Commission said on Wednesday his agency would enforce the new rules barring most sales pitches to Americans on the national do-not-call list.

Chairman Michael K. Powell said he was sending a letter on Wednesday to the nation's major telemarketers asking

if they had access to the database with more than 50 million phone numbers on the list. The letter also asked the companies to respect the wishes of those on the list who don't want to receive telemarketing calls.

"The FCC is very, very committed to this database; very, very committed to the protection of consumers under it," Powell said. "And (it) intends to be extremely aggressive within whatever limits or parameters we can finely divine in the legal quagmire to enforce it."

The do-not-call effort became official on Wednesday after millions of consumers, in an unprecedented response to an initiative by the federal government, added their home and cell phone numbers to a federal registry created by the Federal Trade Com-

mission to halt telemarketing calls.

But recent federal court decisions raised questions about the authority of federal regulators to impose the rules as well as the constitutionality of the telemarketing restrictions. A U.S. District Court judge in Oklahoma City ruled for telemarketers that the FTC exceeded Congress's intent.

Spurred by the political message sent by millions of Americans, Congress took just two days to draft, consider and pass through both chambers new legislation clarifying that it supported the regulators' actions. The bill was rushed to the White House where President Bush quickly signed it.

Then a U.S. District Court judge in Denver ruled that the do-no-call list

violated telemarketers' First Amendment free-speech rights and ordered the FTC not to enforce the rules.

Questions were raised about what appeared to be discrimination against telemarketers since the rule allowed political pollsters and charitable organizations to continue to make unsolicited calls.

The FCC has its own do-not-call regulation; however, and decided to push ahead despite the legal rulings. But because of the action of the courts, the FCC did not have access to the database created by the FTC.

So on Wednesday, the FCC was in the unusual situation of asking the Direct Marketing Association, the trade group that represents telemarketers, to share its database of Ameri-

cans not wanting to be disturbed by telemarketing calls.

Powell said the do-not-call initiative was at the top of his agency's enforcement agenda.

"We have tools available to us, up to and including subpoena power if it's in the context of an investigation, to potentially get the evidentiary information we need to prosecute," Powell said.

Companies found in violation of the rules could be faced with large monetary fines. Powell also expressed faith that any problems with the regulations could be resolved, if necessary, by further congressional action.

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U.S. officials offer resolution for withdrawing troops

No firm deadline has been set for the removal of U.S. troops, but an "end point" has been established

By Warren P. Strobel
Knight Ridder Newspapers (KRT)

WASHINGTON — The United States on Wednesday for the first time explicitly described a procedure for American combat troops to leave Iraq after the country is returned to its people.

The plan is part of a revised U.N. resolution on Iraq that's designed to attract greater international backing for the U.S. position on the country and to encourage larger contributions of peacekeeping troops and rebuilding money.

It remains to be seen whether the changes will be enough to assuage the criticism, mostly from European nations, that President Bush encountered during his visit to the United Nations last week.

Some countries want a clearer idea of when the United States will exit. The revised resolution; however, sets no firm deadlines.

Senior administration officials said the document, approved at the White House on Sunday, says an American-led multinational force will leave Iraq after a new Iraqi administration is in place.

The document says the de facto U.S. government in Iraq, the Coalition Provisional Authority, is "temporary, until an internationally recognized government is established," said a senior American official, speak-

ing on condition of anonymity.

It gives "not an end date, but an end point," the senior official said.

Attempting to dispel the image of the United States as an occupier, it says "the sovereignty of Iraq resides in the state of Iraq," he said.

State Department spokesman Richard Boucher told a news briefing that the changes are a response to other countries' desire to see a clear timeline and process for Iraqis to reassert control over their country.

Secretary of State Colin Powell on Wednesday telephoned colleagues from Britain, Germany and other nations on the Security Council seeking their support on the draft resolution.

There was no immediate public reaction from Security Council members, including France, which has led international criticism of Bush's de-

cision to go to war last March.

The United States has rejected such demands as too hasty. Powell last week urged the Iraqis to write a new constitution within six months, but members of the Iraqi Governing Council in Baghdad said that was unlikely.

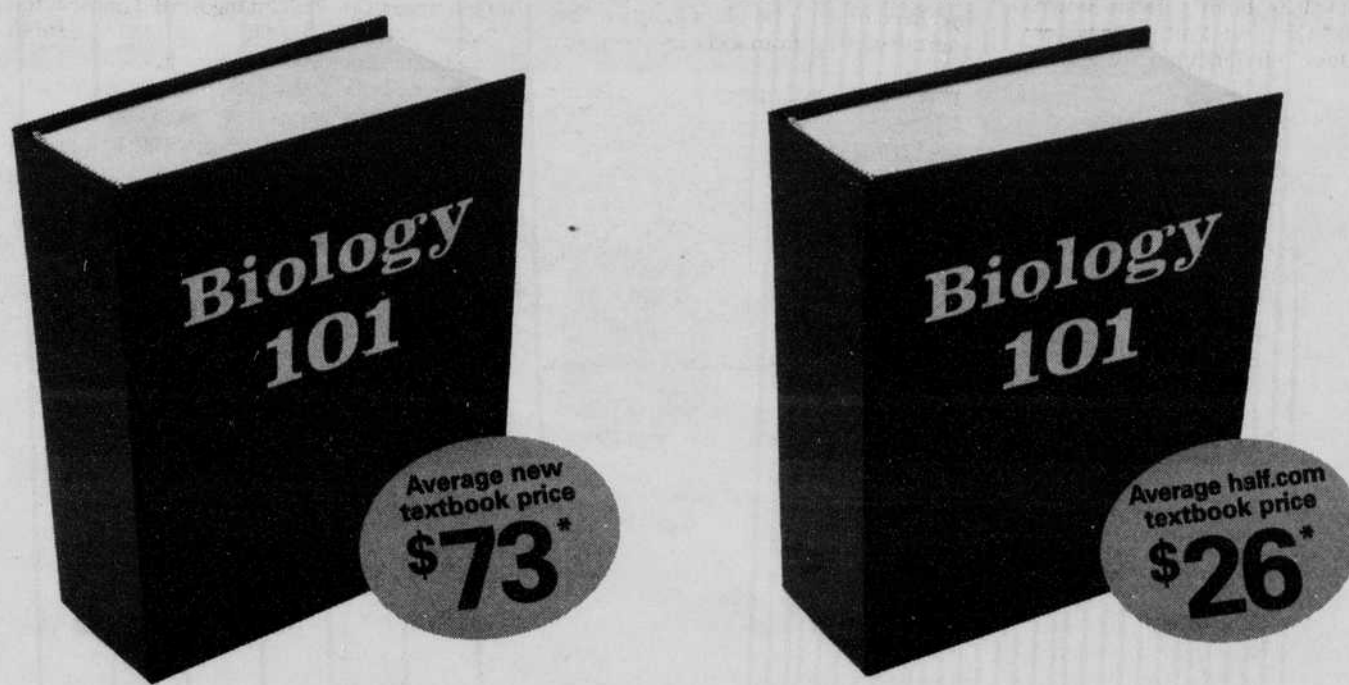
American officials said on Wednesday that they expected the resolution to win the nine votes it needs to pass when it's put before the council. But they're hoping to maximize the number of votes, to give greater international legitimacy to U.S. operations in Iraq.

Even if the resolution passes; however, nations Washington has lobbied for more peacekeeping troops and rebuilding money have offered a largely tepid response.

The new draft resolution also is more specific about the planned role for the United Nations in rebuilding Iraq. It refers to a July 17 report by U.N. Secretary General Kofi Annan that outlines which tasks his organization can undertake in the country.

In that report, Annan proposed a new U.N. mission in Iraq headed by a special representative with responsibilities including humanitarian relief, human rights and assisting Iraq's political process. But the United Nations has continued to reduce, not increase, its Iraq staff since the August bombing of a U.N. headquarters in Baghdad killed 22 people, including the head of the U.N. mission, Sergio Vieira de Mello.

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