

How a Government Shutdown Affects Telemarketers

Prepared by PossibleNOW's sister company, CompliancePoint

When the federal government shuts down, most people immediately think about national parks closing or delayed tax refunds. But for telemarketers and businesses that rely on outbound calling, the impact is more nuanced — and often overlooked. A government shutdown doesn't suspend telemarketing laws, but it does slow or stop certain government functions that marketers depend on for compliance and operations.

Telemarketing Rules Still Apply

First and foremost: the Telephone Consumer Protection Act (TCPA), Telemarketing Sales Rule (TSR), and state-level calling restrictions do not get paused during a shutdown. The rules around prior express written consent, do-not-call (DNC) list scrubbing, and abandoned call limits remain firmly in place. A shutdown isn't a "get out of jail free card" — violations can still be pursued later.

Enforcement Agencies Slow Down

During a shutdown, the Federal Trade Commission (FTC) and Federal Communications Commission (FCC) operate with limited staff. That means fewer active investigations, slower responses to complaints, and delayed enforcement actions. While this might look like breathing room for telemarketers, it actually creates more risk: once the government reopens, a backlog of complaints can lead to larger sweeps and more aggressive enforcement.

Access to the Do Not Call Registry May be Affected

The National Do Not Call (DNC) Registry is maintained by the FTC. During past shutdowns, telemarketers could still download and scrub against the list, but technical or support issues weren't always addressed quickly. If a shutdown drags on, this could complicate compliance for businesses that need to purchase updates or troubleshoot access.

Consumer Complaints Keep Piling Up

Even if the FTC isn't actively reviewing every complaint during a shutdown, consumers can (and do) continue to file complaints about unwanted calls. These don't disappear — they build up in the system. When normal operations resume, regulators often review the accumulated data, which can spark investigations into patterns of abuse.

Delays in Policy and Regulatory Updates

Shutdowns stall agency initiatives. If the FCC was investigating any new rulemaking on TCPA consent standards, or if the FTC was preparing a new telemarketing enforcement action, those processes may be paused. For businesses, that means uncertainty — compliance teams may need to wait longer for clarity on evolving rules.

Court Cases May Stall, Too

If a shutdown impacts the federal court system, telemarketing-related lawsuits may face delays. This can impact both plaintiffs and defendants — slowing down resolution and increasing costs.

Perception Risk Increases

Even if enforcement is temporarily slowed, the reputational risk of noncompliance remains. Consumer advocates and state attorneys general often continue pursuing cases during a federal shutdown. States do not shut down when the federal government does, and many state-level telemarketing laws are stricter than federal rules.

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The Bottom Line

For telemarketers, a government shutdown doesn't mean a free pass. Compliance obligations remain in full effect, even if regulators are temporarily limited.

Smart businesses will:

- Continue to scrub against the National DNC Registry and state lists.
- Maintain clear consent records for all outbound calls and texts.
- Monitor state enforcement, since state AGs often stay active during federal shutdowns.
- Treat a shutdown as a time to shore up compliance, not let it slide.

When the government reopens, regulators often come back with pent-up enforcement energy. Staying compliant during the shutdown is the best way to avoid becoming a target later.

PossibleNOW: Marketing Compliance Made Simple

PossibleNOW is the pioneer and leader in customer contact compliance. From federal and state regulations to international laws, our platform DNCSolution consolidates everything a business needs to stay compliant with regulations such as Do Not Call, TCPA, CAN-SPAM, and Reassigned Numbers Database. We back our solutions with a 100% compliance guarantee and keep companies out of the crosshairs of professional litigators.

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