



# US messaging use cases – what’s allowed and what isn’t

A short guide to US carrier rules and regulations for common use cases

# Introduction

Mobile messaging is a heavily regulated space. We all benefit from this in the form of a clean, direct and effective line of communication to our audiences. But these rules and regulations do need to be carefully navigated.

It's important to know which use cases are allowed and which aren't – then to submit the required details to the operators. This guide sets out everything you need to know about US carrier requirements for some common use cases.

# First, a disclaimer...

The list of common allowed and disallowed use cases (below) isn't comprehensive. Other types of use cases may result in additional questions from the carriers. It's important to remember that each network is owned and operated on an individual basis. As such, carriers reserve the right to reject or question any specific campaign. All campaigns are subject to full review by all of the carriers and will need to be approved on a case-by-case basis.

That said, let's dive into the do's and don'ts (as outlined by the US carriers) for the most common messaging use cases.

Allowed with restrictions	
✓ Abandoned Shopping Cart Notifications	✓ Job alerts
✓ Bank fraud alerts	✓ Loan campaigns
✓ Charitable Donation Campaigns	✓ Payment reminders
✓ Emergency alerts / time-sensitive alerts	✓ Political campaigns
✓ Free to End User	✓ Purchases via short code
✓ Gambling	✓ SHAFT
✓ Home Listings	✓ Sweepstakes and Contests
✓ Insurance	

Disallowed	
✗ CBD & cannabis	✗ Lead generation
✗ Debt collection	✗ Shared short codes
✗ High risk loans	

Now let's drill down deeper into these common use cases, and detail what you need to know. First, let's look at the 'Allowed with restrictions' list.

## ✓ Allowed with restrictions

### Abandoned Shopping Cart Notification (ASCN)

- Call to action and Terms and Conditions must disclose that this messaging program includes ASCN
- Requires a double opt in and double opt in message content must clearly inform the user that this includes ASCN
- Privacy Policy must explicitly state how information is captured by the e-commerce site to determine when a consumer cart has been abandoned (e.g. website cookies, plugins, etc.)
- No more than one ASCN per event, ASCN must be sent within 48 hours after abandonment
- ASCN must not result in the completion of a transaction on behalf of the customer
  - Abandoned cart notification must not collect payment information or accept approval for purchase via keyword confirmation from the consumer
  - Consumers must complete the transaction by processing payment themselves via a direct URL link to the e-commerce website.

\* Please note that this use case is limited to Cart Abandonment messages and SMS messages should not be triggered based on views or clicks. SMS messages should only be triggered when a user places an item in their cart.

---

### Bank fraud alerts

There is a TCPA exemption for bank fraud alerts which means that the end user's prior express consent isn't required. In order to qualify for this exemption, the below requirements must be adhered to:

- Must be zero-rated (FTEU).
- Must be sent only to the wireless number provided by the customer of the financial institution.
- Must state the name and contact information (e.g., phone number) of the financial institution.
- Messages cannot include marketing, advertising, or debt collection content.
- Limited to a maximum of three texts over a three-day period from a single financial institution to the owner of the affected account.
- Message must inform recipients of the ability to opt-out by replying "STOP," which will be the exclusive means by which consumers may opt-out of such messages.
- 'Reply STOP to cancel' should be in all 'content MT' for these types of campaigns.
- Opt-out requests must be honored immediately.

## ✓ Allowed with restrictions

### Charitable Donations Campaigns

If the campaign utilizes text message to support, remind, suggest, request, or advertise any “giving” or “donation”, then it’s considered a donation campaign.

- Infobip can run the messaging but cannot handle the mobile billing. The customer must already have an agreement with a mobile billing provider.
- If the donation aspect of the campaign is not taking place via the short code (donation will take place via a web form via URL sent) the following must be adhered to:
- Charitable donation programs must conform to the non-profit messaging guidelines in the CTIA Messaging Principles and Best Practices. All Charitable Organizations must meet the following qualifications:
  - Qualified as tax-exempt under Section 501(c)(3) of the Internal Revenue Code are eligible.
  - Charitable organizations must be accredited by at least one arm’s-length, disinterested non-profit accreditation organization (e.g., Better Business Bureau Wise Giving Alliance, Charity Navigator);
  - Charitable organizations must receive separate opt-in for informational and solicitation messages if they provide both types of messages under the same Short Code;
  - Charitable organizations may not use the message program for lotteries, sweepstakes, raffles, or recurring donations;
  - No entities involved in the donation campaign, aside from the charitable organization itself, may use any part of the mobile subscriber data collected; and
  - For charitable donations programs outside of direct-carrier billing, the dedicated application address must be leased/owned by the charitable organization
  - Furthermore, charitable donation programs supported by a DCA must provide the following requirements:
    - Provide the following Charitable Organization information for proof of qualified as tax-exempt under Section 501(c)(3) of the Internal Revenue Code:
      1. Name of Company/Non-Profit Organization
      2. Tax Identification (EIN)
      3. Charitable Organization Website
      4. Accreditation Organization Website Listing Company/Non-Profit

## ✓ Allowed with restrictions

### Emergency Alerts/Time-sensitive alerts

A terms and conditions page must include the verbiage “wireless carriers are not liable for delayed or undelivered messages.”

It is also recommended that emergency notifications campaigns be submitted as FTEU to override blacklisting or messaging bucket limitations. It is not a requirement but recommended to ensure that users who have exhausted their limited text plan or are blacklisted from SMS programs will still receive these notifications..

---

### Free to end user

- An FTEU message is provided at no charge to the subscriber.
  - FTEU short codes can only be used for FTEU (they can't run concurrently with standard services on the same network).
  - “Msg&Data Rates May Apply” should not be included in MTs or on websites for FTEU programs.
  - All MTs should begin with “FREE MSG”.
- 

### Gambling

- Any campaigns that pertains to gambling or casinos must be listed with the proper age rating – for example, over 18 or M17 and must include a Robust Age Gate.
- Lottery programs are allowed if they are not promoting gambling.
  - In practice, this means that Powerball jackpot results are allowed – for example, Powerball jackpot results are XXXX
  - But ‘Play Powerball jackpot at www.com to win now’ is not allowed
- For lottery programs, confirmation that the company is an official affiliate partner of the lottery is required.
- Promotion of Gambling via SMS is not permitted.

## ✓ Allowed with restrictions

### Home listings

- Real estate alerts about home listings, for example apartment finder alerts, are allowed.
  - Campaigns that are tied to an actual direct realtor or property management company would be more closely considered.
  - End-user information must not be shared with third parties/affiliate marketers.
- 

### Insurance

- A content provider must be the direct insurer and not a reseller of insurance.
  - Insurance quotes must only be for the specific direct insurer.
  - End user information must not be shared with third parties/affiliate marketers.
- 

### Job alerts

As keyword opt-in is generally not how these campaigns run, a complete description of process and/or screenshots to be reviewed must be provided.

- The content provider must be the direct hiring agency, or head-hunting firm.
- End-user information must not be shared with third parties/affiliate marketers.
- These alerts are disallowed:
  - Work-from-home programs
  - Job alerts from third party recruiting firms
  - Risk investment opportunities

## ✓ Allowed with restrictions

### Loan campaigns

Only campaigns for the direct lender will be considered, and the message sender must be the loan originator. Please also note:

- The mobile CTA/web opt-in must be separate from the end user signing up for the application/loan.
  - As keyword opt-in is generally not how these campaigns run, please provide complete description of the process and/or screenshots to be reviewed.
  - Verbal opt-in is NOT allowed for loan type campaigns.
  - End user information must not be shared with third parties/affiliate marketers.
  - Must provide a completed loan questionnaire for review.
- 

### Payment reminders

Alerts notifying consumers of upcoming payment reminders are allowed for example, “your bill is due on XX/XX”.

- When submitting these types of campaigns, please include the following note in the description field within the program summary: “The alerts will be courtesy reminders to the users for payment dates. The ability to initiate a payment cannot be made via SMS and messages may not indicate an overdue/past due notice.”

## ✓ Allowed with restrictions

### Political campaigns

Political campaigns will require a CTA/ opt-in policy that is clear and applied consistently.

- If the Political Campaign will also support donations, the following must be provided as well:
  - A valid call-to-action and clear product description within the SMS terms of service which clearly discloses that donations will be solicited.
  - Example MT for donation messaging, including the URL
- There must be additional transparency on the political entity:
  - Politician/organization name
  - Politician/organization website
  - FEC ID – required if candidates/organization involved in a federal level election.
  - State Committee ID - required if candidates/organization involved in a state level election.

\* Please note that if the politician or organization doesn't have a FEC ID or State Committee ID, then the campaign will be reviewed on a case-by-case basis. In this situation, provide a) an explanation of why a FEC ID or State Committee ID isn't available, and b) detail which fundraising platform secures the donation; if supported. – for example, ActBlue/WinRed

- End user information must not be shared with third parties or like-minded organizations. This should be confirmed in the privacy policy page. It is suggested to add the approved carrier language to the privacy policy page: "The above excludes text messaging originator opt-in data and consent; this information will not be shared with any third parties"

---

### Purchases via short code

- Purchase confirmation via short code is not permitted – for example, reply BUY to purchase this item.
- A URL in the text message which will redirect the end user to a web form to complete their purchase would be permitted. This must occur every time a purchase will need to be completed and can't be used as a single authorization of recurring orders.

## ✓ Allowed with restrictions

### SHAFT

SHAFT stands for SEX, HATE, ALCOHOL, FIREARMS and TOBACCO. Hate, or hate speech is never allowed. However, messaging related to sex (adult content), alcohol, firearms and tobacco will be reviewed on a case by case basis by each of the US Mobile Network Operators in accordance with all applicable laws.

- All SHAFT messaging requires a Robust Age Gate
  - Robust Age Gate requires a user reply via MT with their birthdate xx/xx/xxxx or a web opt in form field which requires the user to include their birthdate
  - Asking a user to “reply YES/AGREE to confirm they are over a certain age is not considered robust age verification.
- As a standard, direct promotion of the sale or consumption of these products is not typically allowed.
  - Example: “Use code DRINK15% for 15% off our newest vodka at [www.drink.com](http://www.drink.com)”
- Indirect promotion of these items will be approved on a case by case basis.
  - Things like cart reminders, shipping notifications, and exclusive coupon codes for the website will be approved on case by case basis.
  - Example: “Brand: Hey did you leave something in your cart? Complete your checkout now by clicking [www.website.com](http://www.website.com)

## ✓ Allowed with restrictions

### Sweepstakes and contests

A **sweepstake** is a legal game that includes a prize, and a game of chance. No consideration is allowed. (Sprint's definition of a sweepstake includes anything with a prize component regardless of the method of prize delivery.)

A **contest** is a promotional mechanism that includes a prize, and a game of skill. Consideration is allowed, but there cannot be any element of chance. Some details to note:

- For sweepstakes, you must provide a copy of all official rules and guidelines and the 'in market' call to action that was used.
- Services viewed as sweepstakes/contests include: any service where points or prizes are awarded/reverse auction/skills games (Sprint)/IVR voting (Sprint).
- Sweepstakes and contest rules must be present on the website and must include (but not limited to):
  - Rules must be prominently located on the website associated with the sweepstakes
  - Rules cannot be generic – that is, covering multiple sweepstakes of a type that may run in connection with a program – but must relate to an actual sweepstakes
  - Name and contact information for sponsor
  - Any eligibility restrictions applicable to participate or winners, such as state of residence
  - Description of means of entry
  - Date(s) the prizes will be awarded
  - Description of prize(s)
  - Method of awarding prize(s)
  - Description of how the winner(s) will be contacted and method for obtaining a list of winners.
  - Who is eligible for sweepstakes and how the winner is selected?
  - Age restrictions
  - Free method of entry

# Disallowed

Let's move on to disallowed use cases. First off, any campaigns related to phishing, fraud or scams, deceptive marketing or unlawful or illicit content are not permitted. Here's the lowdown on common examples of disallowed messaging:

## **CBD & cannabis**

Messaging related to CBD and cannabis is not supported by all US carrier networks. The regulations on this vary from state to state and from federal to state level, and there is no way to maintain accurate representation of opted-in users' states..

---

## **Debt collection**

Debt collection messages are not permitted. This includes messaging related to debt forgiveness, debt consolidation, debt reduction or credit repair programs. Messaging related to debt forgiveness, debt consolidation, debt reduction or credit repair programs are not permitted.

---

## **High risk loans**

Messaging related to high risk loans is not permitted. This includes (but is not limited to) payday loans, short term high interest loans, auto loans by a third party, mortgage loans by a third party, student loans.

## ✗ Disallowed

### Lead generation

Any campaigns that are used for lead generation or indicate the sharing of collected information with third parties are not permitted.

---

### Shared short codes

Shared short codes are not permitted. Long story short, the carriers want more control and visibility of the traffic on their networks. They want to phase out P2P long codes and shared short codes to increase security, deliverability and to protect the messaging ecosystem. Dedicated 10-digit long codes and short codes are the main numbers to use for business messaging.



# Here to help

We hope this quick guide has proved useful. With a clear understanding of which use cases are allowed – and which aren't – you're more likely to feel confident and in control of your SMS and MMS campaigns. Our sweet spot here at Infobip is getting campaigns approved by the carriers, and up and running fast. We're here to help with any specific questions you may have.

[Contact us](#)

