

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.

For a more detailed account of how to get your campaigns approved – whether on short codes or 10DLC – we've created a guide. It's called *A step-by-step guide to getting SMS and MMS campaigns up and running*.

[Download the guide](#)

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.

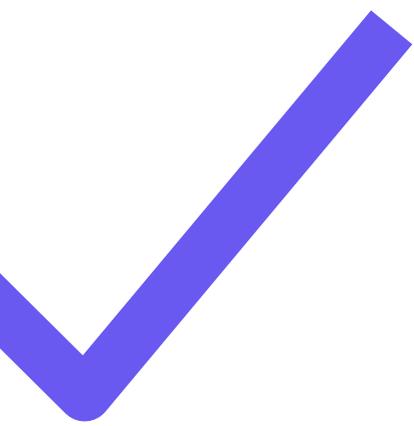
Allowed with restrictions

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|--|--|
| <input checked="" type="checkbox"/> Age gated campaigns | <input checked="" type="checkbox"/> Job alerts |
| <input checked="" type="checkbox"/> Bank fraud alerts | <input checked="" type="checkbox"/> Loan campaigns |
| <input checked="" type="checkbox"/> Donation campaigns | <input checked="" type="checkbox"/> Location based services |
| <input checked="" type="checkbox"/> Emergency alerts/time-sensitive alerts | <input checked="" type="checkbox"/> Payment reminders |
| <input checked="" type="checkbox"/> Financial | <input checked="" type="checkbox"/> Political campaigns |
| <input checked="" type="checkbox"/> Free to end user | <input checked="" type="checkbox"/> Purchases via short code |
| <input checked="" type="checkbox"/> Gambling | <input checked="" type="checkbox"/> Shopping cart reminders |
| <input checked="" type="checkbox"/> Home listings | <input checked="" type="checkbox"/> Sweepstakes/contest |
| <input checked="" type="checkbox"/> Insurance | |

Disallowed

- | | |
|--|--|
| <input checked="" type="checkbox"/> CBD and cannabis | <input checked="" type="checkbox"/> Lead generation |
| <input checked="" type="checkbox"/> Debt collection | <input checked="" type="checkbox"/> Shared short codes |
| <input checked="" type="checkbox"/> 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

Age gated campaigns

Messaging content for controlled substances or for distribution of adult content might be subject to additional carrier review. This type of messaging should include robust age verification (for example, electronic confirmation of age and identity).

Examples of robust age gates include:

- 'Reply with your birthdate xx/xx/xxxx'.
- A web opt-in form field which requires user to include their birthday.

Asking a user to "reply YES/AGREE to confirm they are over a certain age is not considered a robust age verification.

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

Donation campaigns

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

- OpenMarket can run the messaging but can’t handle the mobile billing. The customer must already have an agreement with a mobile billing provider.
- If the donation is not taking place over the short code (sending URLs where the end user is redirected to donate), then the program should be run directly through a mobile giving aggregator as they have different vetting processes in place.
- Mobile giving outside of the approved direct carrier billing channel is not officially supported on the T-Mobile network. T-Mobile is still working on a policy/requirement that would expand the mobile giving space to include donations via texted URL. Until then, an exception approval request will be needed including an explanation of the following:
 - Name of company/non-profit organization
 - Tax identification (EIN)
 - Official website
 - Explanation of use case
 - Confirmation that this will be a dedicated short code
 - Expected monthly traffic volume

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 T-Mobile’s recommendation to submit emergency notification campaigns as a FTEU (Free to End User) policy to override blacklisting and or messaging bucket limitations. Subscribers who have enabled blacklisting to their account or who have exhausted their limited text plan will not receive these timely emergency notifications.

Allowed with restrictions

Financial

Any campaign that has a financial component must note if it supports the ability to initiate financial transfer and it must note what kind of transfer is occurring – for example, bill payment, transfer etc.

If the service does not support the ability for a customer to initiate a financial transfer, this specific wording must be noted in the program summary: “this service will not support/initiate financial transactions/transfers”.

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”.
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Gambling

- Any campaigns that pertain to gambling or casinos must be listed |with the proper age rating – for example, over 18 or M17. Age gating is not required if the CTA is in an already age-gated location, such as point of sale (POS) or in a casino.
- 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.

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.
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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.
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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.
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Location-based services

Please note the different requirements from two mobile operators below:

T-Mobile

- Provide the LBS aggregator and details about the LBS functionality
- T-Mobile will not support network-based LBS campaigns

Verizon

- LBS application provider needs to have a direct agreement with Verizon prior to submitting the campaign in the SCAT
 - In 'additional information' field ensure that the LBS application provider has a direct agreement with Verizon when submitted
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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 with a donation URL component will require a CTA/opt-in policy that is clear and applied consistently.

- There must be additional transparency on the political entity:
 - Example MT for donation messaging, including the URL
 - Politician/organization name
 - Politician/organization website
 - FEC ID – required if candidates/organization involved in a federal-level election. Please note that if the politician or organization doesn't have a FEC 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 isn't available, and b) detail which fundraising platform secures the donation – 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

Shopping cart reminders

Any use cases that include shopping cart reminders are required to adhere to the shopping cart reminder policy listed below:

General requirements

- Call to action via website must include (within the opt-in terms and conditions details) that the message program includes a shopping cart reminder.
- Shopping cart message program must incorporate a double opt-in mechanism via text.
- Double opt-in message content must clearly inform the user that the message program includes shopping cart reminders.
- Campaign submissions must be filed as an “account information” campaign with a detailed description highlighting the message program will include shopping cart reminders.

Additional privacy policy disclosures

- Privacy policy must explicitly state how information is captured by the commerce site to determine when a consumer cart has been abandoned – for example, website cookies, plugins and so on.
- Terms and conditions must reflect the new policy.

Delivery and content restrictions

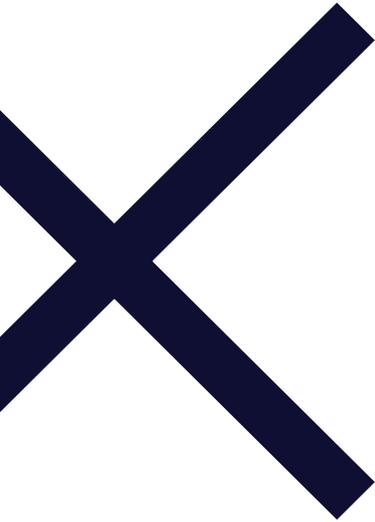
- Text reminders must be sent within a 48-hour period and limited to one alert per unique abandoned cart.
- An abandoned cart notification must not result in the ecommerce site completing the transaction on behalf of the consumer.
- An abandoned cart notification must not collect payment information or accept approval for purchase via keyword confirmation from the consumer.
- The consumer must complete the transaction by processing payment themselves via a direct URL link to the e-commerce website.
Sweepstakes/contest

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.)

Allowed with restrictions

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.

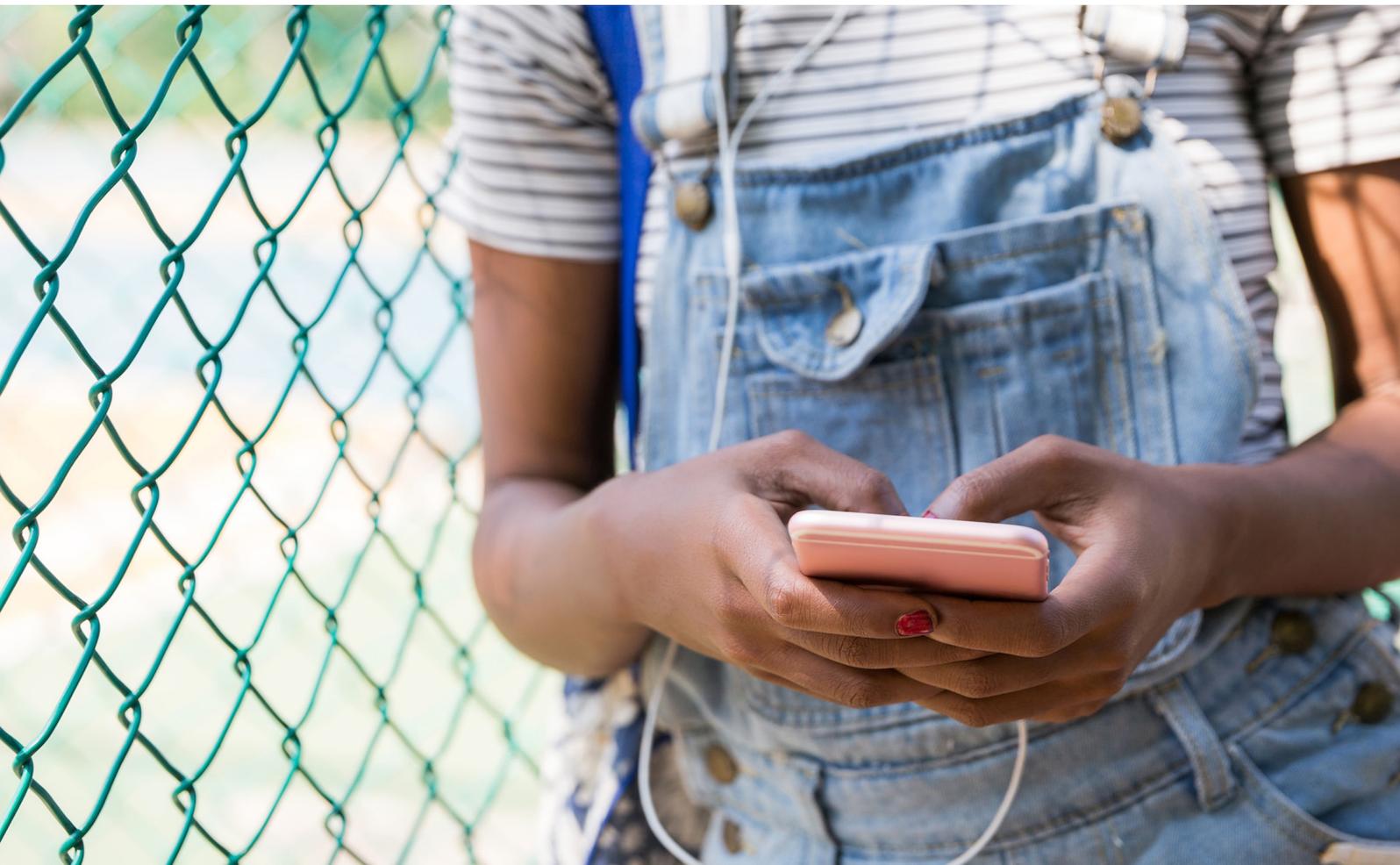
Disallowed

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 OpenMarket is getting campaigns approved by the carriers, and up and running fast. We're here to help with any specific questions you may have.

[Get in touch](#)

We are OpenMarket

As an Infobip company, we help the biggest brands in the world use mobile messaging to connect with people in the moments that count. When they need to be helpful and responsive in real time. When customer experience isn't just a buzzword, it's an obsession. We'd love to do the same for you.

