



USACM

The U.S. Public Policy Committee of ACM

**USACM POLICY RECOMMENDATIONS ON SPAM
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BACKGROUND:

The Internet is a relatively new public medium for millions of users. It encompasses many of the communication innovations developed over the course of human history: text, images, sound, and full motion video. These digital forms of communications come without the limitations once placed on location.

The use of the Internet for cyber communications activities, however, is not without problems and challenges. Roughly one-half of all e-mail traffic can be classified as unsolicited commercial messages, more commonly referred to as “spam.” Unsolicited commercial email (UCE) global costs to businesses and consumers continue to rise through lost productivity, network infrastructure congestion, threats posed to privacy and expending of help desk resources. For these reasons and others, spam is a global policy issue that threatens the continued growth and development of the Internet.

RECOMMENDATIONS:

USACM promotes the development of national and global policies and frameworks that advance the open interchange of information. In support of this mission, USACM has joined with a broad international coalition that includes the Electronic Privacy Information Center, Computer Professionals for Social Responsibility, Consumer Federal of America, and others to identify consensus policy principles that address the spam problem. Accordingly, policymakers should consider the following policy principles:

1. Seek broad cooperation and support for anti-spam legislative and regulatory efforts by working proactively with consumer advocacy groups, the IT research community, private business, public entities and other stakeholders;
2. Establish universal “Opt-in” requirements for sending bulk email. By directive, European countries have adopted this approach;
3. Ensure Private Rights of Action for individuals as well as Internet Service

Providers (ISPs) to bring legal action against spammers similar to the legal recourse individuals and ISPs have against telemarketers and junk faxes;

4. Support research and development of technologies that can play a critical role in reducing the amount of spam. Such technologies should be support-distributed, transparent, and interoperable, as well as subject to trouble-free personalization by the end user.

5. Prohibit false headers and subject lines. Establish penalties for falsifying sender and subject information, and for including text and features intended to circumvent user-approved controls to block or limit UCE.

6. Formulate a consistent, clear definition of spam which considers its technical and social attributes. Include those features that allow recipients of email the autonomy to determine what is and is not desired communication.

7. Require the use of “ADV” labeling or the foreign language equivalent in commercial email, which stipulates placement at the beginning of the subject line information. Provide a universal requirement that all commercial senders provide their physical address to facilitate consumers’ opt-out request to discontinue receipt of commercial emails. Establish significant penalties for harvesting email addresses.

8. Recognize the international nature of electronic communications. Create opportunities for international cooperation in the fight against spam with a goal of harmonizing international spam laws.

For more information about USACM, please contact the ACM Office of Public Policy at (202) 659-9711 or see: <http://www.acm.org/usacm/>.